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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
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Tuesday, September 6, 2011 - 2:00 PM

City Hall, Room 416
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 106 Number 32

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:13 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes of July 12, 2011, July 19, 2011, July 26, 2011, and August 2, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

110583 [Administrative Code - Cash Difference and Overage Funds]

Ordinance amending the San Francisco Administrative Code Section 10.82 to: 1) authorize the Controller to establish cash difference and overage funds for the use of any county officer or department head or judicial district handling judicial funds; 2) to increase, reduce, or discontinue the funds; 3) require any county officer or department head using such funds to report to the Controller; and 4) require the Controller to annually report to the Board of Supervisors regarding the cash difference and overage funds. (Treasurer-Tax Collector)

Ordinance No. 173-11

FINALLY PASSED

110594 [Administrative Code - Enforcement of Minimum Wage Law by the Office of Labor Standards Enforcement]

Sponsors: Campos; Mar, Avalos, Chiu, Mirkarimi and Kim

Ordinance amending the San Francisco Administrative Code Sections 12R.5, 12R.7, 12R.16, 12R.17, 12R.18, and 12R.25 to: 1) enhance the Office of Labor Standards Enforcement's enforcement of the City's Minimum Wage Ordinance by clarifying agency access to places of employment; 2) require a policy to resolve complaints or initiate enforcement actions within one year; 3), raise the penalty for employer retaliation; 4) impose a penalty for failure to post minimum wage rates; 5) provide for posting notice to employees upon commencement of an investigation and public posting of employer non-compliance, and impose penalties for violation of these posting requirements; 6) impose a penalty for failure to provide employer's name, address, and telephone number to employees; 7) allow for back wages held in escrow for an employee for three years or more to be used to enforce the Minimum Wage Ordinance or other laws enforced by the Office of Labor Standards Enforcement if the Office of Labor Standards Enforcement cannot locate the employee; 8) provide authority to immediately issue an administrative citation upon sufficient evidence of certain violations; and 9) require industry-focused outreach materials for employees.

Ordinance No. 175-11

FINALLY PASSED

Recommendations of the Rules Committee

110829 [Appointment, Mental Health Board - Lena Miller]

Motion appointing Lena Miller, term ending January 31, 2013, to the Mental Health Board. (Clerk of the Board)

Lena Miller, seat 15, succeeding Mary Ann Jones, must be a mental health professional, for the unexpired portion of a three-year term ending January 31, 2013.

Motion No. M11-136

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the Consent Agenda

Supervisor Chiu requested that File No. 110622 be severed so that it may be considered separately.

110622 [Administrative Code - Allowing Paid Administrative Leave in Certain Circumstances]

Ordinance amending the San Francisco Administrative Code by adding Section 16.10 to allow the City and County of San Francisco to use time-limited paid administrative leave for its employees under certain circumstances. (Human Resources Department)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Ordinance amending the San Francisco Administrative Code by adding Section 16.17 to allow the City and County of San Francisco to use time-limited paid administrative leave for its employees under certain circumstances. (Human Resources Department)

FINALLY PASSED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

110503 [Administrative Code - Regulating Overtime Available for City Employees]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code, Section 18.13.1 to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and to specify and modify written reports to be submitted regarding overtime information.

Supervisor Elsbernd, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED ON FIRST READING to September 13, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee

110506 [Police, Planning, and Business and Tax Regulations Codes - Limited Live Performance Permits]

Sponsors: Mirkarimi; Wiener, Mar and Campos

Ordinance amending the San Francisco Police Code Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.19, 1060.20.4, 1060.24, 1060.35, 2901, 2909, and 2916; adding to the San Francisco Police Code Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1; amending the San Francisco Planning Code Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37; and amending the San Francisco Business and Tax Regulations Code Section 8 to: 1) create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; 2) to specify application and license fees and hearing requirements for said permit; and 3) making findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 172-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Rules Committee

101574 [Elections Code - E-mailing the Voter Information Pamphlet]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Municipal Elections Code Section 500, and adding Section 502, to require the Director of Elections to establish a process that permits voters to choose to receive the San Francisco Voter Information Pamphlet and associated materials by electronic means instead of by paper mail.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110806 [Administrative Code - Deleting Outdated References to Telecommunications Commission]

Ordinance repealing the San Francisco Administrative Code Section 11.84, thereby dissolving the Telecommunications Commission. (Clerk of the Board)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110809 [Administrative Code - Dissolving Drug Abuse and City-Wide Alcoholism Advisory Boards]

Ordinance repealing the San Francisco Administrative Code Sections 15.17 and 15.19, thereby dissolving the Drug Abuse Advisory Board and the City-Wide Alcoholism Advisory Boards, respectively. (Clerk of the Board)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110807 [Dissolving Presidio Neighborhood Representative Work Group]

Resolution repealing Resolution No. 668-01 to dissolve the "Presidio Neighborhood Representative Work Group." (Clerk of the Board)

Resolution No. 355-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110808 [Dissolving Mayor's Criminal Justice Council]

Resolution repealing Resolution Nos. 89-71, 286-71, 359-71, 360-71, 608-71, 14-72, 578-72, 510-73, 934-74, 126-77, 26-78, 704-78, 412-82, 349-89, and 414-89, to dissolve the "Mayor's Criminal Justice Council." (Clerk of the Board)

Resolution No. 356-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110810 [Dissolving Children's Collaborative Task Force]
Resolution repealing Resolution No. 358-07 to dissolve the "Children's Collaborative Task Force." (Clerk of the Board)

Resolution No. 357-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110811 [Dissolving Arts Task Force]
Resolution repealing Resolution Nos. 781-04, 316-05, 402-05, 802-05, and 77-06, to dissolve the "Arts Task Force." (Clerk of the Board)

Resolution No. 358-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 2:30 P.M.

110825 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 70 Gold Mine Drive]
Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2009, Case No. 2008.1218E, that a project located at 70 Gold Mine Drive is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposed project involves demolition of an existing single-family residential building and construction of three residential units, Lot No. 033, in Assessor's Block No. 7520. (District 8) (Appellant: George Tsang)
(Filed July 21, 2011; Companion Measure to File Nos. 110826, 110827 and 110828.)

The President indicated receipt of a letter from the project sponsor, dated August 30, 2011, withdrawing their environmental application and categorical exemption.

TABLED BY OPERATION OF LAW

110826 [Affirming the Exemption Determination - 70 Gold Mine Drive]
Motion affirming the determination by the Planning Department that a project located at 70 Gold Mine Drive is exempt from environmental review.

TABLED BY OPERATION OF LAW

110827 [Reversing the Exemption Determination - 70 Gold Mine Drive]
Motion reversing the determination by the Planning Department that the 70 Gold Mine Drive project is exempt from environmental review.

TABLED BY OPERATION OF LAW

110828 [Preparation of Findings to Reverse the Exemption Determination - 70 Gold Mine Drive]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 70 Gold Mine Drive is exempt from environmental review.

TABLED BY OPERATION OF LAW

SPECIAL ORDER 2:30 P.M.

110835 [Public Hearing - Appeal of Tentative Parcel Map - 1171 Sansome Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 30, 2011, approving a Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040. (District 3) (Appellants: David Davies and Jack Weeden). (Clerk of the Board)

(Filed July 11, 2011; Companion Measure to File Nos. 110836, 110837, and 110838.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance due to the related categorical exemption appeal scheduled for October 4, 2011. There were no speakers.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to October 4, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to October 4, 2011, at 4:00 p.m.

110836 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1171 Sansome Street]

Motion finding the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works; and approving the Tentative Parcel Map. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to October 4, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110837 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1171 Sansome Street]

Motion finding the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; disapproving the decision of the Department of Public Works; and disapproving the Tentative Parcel Map. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to October 4, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110838 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1171 Sansome Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to October 4, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 2:30 P.M.

110831 [Public Hearing - Appeal of Tentative Parcel Map - 1621 Montgomery Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated July 6, 2011, approving a Tentative Parcel Map for a 4-unit commercial condominium subdivision located at 1621 Montgomery Street, Assessor's Block No. 0060, Lot No. 0310. (District 3) (Appellant: Sandra M. Bonato on behalf of the Lombard Plaza Owners Association). (Clerk of the Board)
(Filed July 15, 2011; Companion Measure to File Nos. 110832, 110833, and 110834.)

The President indicated receipt of a letter from the appellant, dated September 1, 2011, withdrawing their appeal and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110832 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1621 Montgomery Street]

Motion finding the Tentative Parcel Map for a 4-unit commercial condominium subdivision located at 1621 Montgomery Street, Assessor's Block No. 0060, Lot No. 0310, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works; and approving the Tentative Parcel Map.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110833 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1621 Montgomery Street]

Motion finding the Tentative Parcel Map for a 4-unit commercial condominium subdivision located at 1621 Montgomery Street, Assessor's Block No. 0060, Lot No. 0310, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; disapproving the decision of the Department of Public Works; and disapproving the Tentative Parcel Map. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110834 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1621 Montgomery Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 4-unit commercial condominium subdivision at 1621 Montgomery Street, Assessor's Block No. 0060, Lot No. 0310.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 2:30 P.M.

110840 [Public Hearing - Appeal of Tentative Parcel Map - 8 Napier Lane/222-222A Filbert Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated July 14, 2011, approving a Tentative Parcel Map for a 3-unit condominium conversion located at 8 Napier Lane/222-222A Filbert Street, Assessor's Block No. 0085, Lot No. 007. (District 3) (Appellant: Terence Keene) (Clerk of the Board)
(Filed July 25, 2011; Companion Measure to File Nos. 110841, 110842, and 110843.)

The President indicated receipt of a settlement agreement from the appellant, dated September 6, 2011, thereby withdrawing their appeal and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110841 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 8 Napier Lane/222-222A Filbert Street]

Motion finding the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 8 Napier Lane/222-222A Filbert Street, Assessor's Block No. 0085, Lot No. 007, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works; and approving the Tentative Parcel Map. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110842 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 8 Napier Lane/222-222A Filbert Street]

Motion finding the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 8 Napier Lane/222-222A Filbert Street, Assessor's Block No. 0085, Lot No. 007, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; disapproving the decision of the Department of Public Works; and disapproving the Tentative Parcel Map. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110843 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 8 Napier Lane/222-222A Filbert Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 8 Napier Lane/222-222A Filbert Street, Assessor's Block No. 0085, Lot No. 007. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 2:30 P.M.

110941 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 660-670 4th Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 7, 2011, Case No. 2010.1042C, that a project located at 660-670 4th Street is exempt from environmental review under Categorical Exemption, Class 3 (State CEQA Guidelines Section 15301). The proposed project involves installation of a wireless telecommunications facility consisting of ten new panel antennas and six new equipment cabinets on the rooftop of an existing mixed use building, Lot Nos. 104-160, in Assessor's Block No. 3786. (District 6) (Appellant: Jason Sanders)
(Filed July 25, 2011; Companion Measure to File Nos. 110942, 110943 and 110944.)

The President inquired as to whether any member of the public wished to address the Board. Jason Sanders (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Walter Paulson; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Amanda Monchamp and Bill Hammett (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Catherine Webster; Male Speaker; spoke in support of the project and in opposition to the appeal. Jason Sanders (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110942 [Affirming the Exemption Determination - 660-670 4th Street]

Motion affirming the determination by the Planning Department that the project located at 660-670 4th Street is exempt from environmental review.

Motion No. M11-137

Supervisor Kim, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110943 [Reversing the Exemption Determination - 660-670 4th Street]
Motion reversing the determination by the Planning Department that the 660-670 4th Street project is exempt from environmental review.

Supervisor Kim, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110944 [Preparation of Findings to Reverse the Exemption Determination - 660-670 4th Street]
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 660-670 4th Street is exempt from environmental review.

Supervisor Kim, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110856 [Hearing - Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]
Hearing of persons interested in or objecting to the proposed Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole. John Updike, Acting Director of Real Estate, provided an overview of the street vacation. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

From the Land Use and Economic Development Committee Without Recommendation

110857 [Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]

Sponsors: Mayor; Avalos

Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Carole Moore and Richard Bolingbroke of the Artists Guild of San Francisco in recognition of their 50th anniversary and continued community support.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Colin Gallagher; expressed support for secure communities program.
Peter Alexander; expressed various concerns.
Doug Malar; expressed concerns relating treason.
Colleen Fernall; expressed concerns relating to emergency funding.
Walter Paulson; shared in song certain concerns with the Board.
Charlie Walker; expressed concerns relating to civil rights.
Ace Washington; expressed concerns relating to racism.
Female Speaker; expressed concerns relating to recent shootings and racial justice.
Rodger Scott; expressed concerns relating to recent shootings and racial justice.
Danny Garcia; expressed concerns relating to recent shootings and racial justice.
Lerry Felson; expressed concerns relating to recent shootings and racial justice.
DeBray Carpenter; expressed concerns relating to racial harassment.
Male Speaker; expressed concerns relating to racism.
Angelina Nickoletto; expressed concerns relating to recent shootings and racial justice.
Rita Okoyama; expressed concerns relating to civil rights.
Male Speaker; expressed various concerns.
Jake Harris; expressed concerns relating to recent shootings and racial justice.
Male Speaker; expressed various concerns relating to poverty.
Male Speaker; expressed concerns relating to terrorism.
Bruce Newberger; expressed concerns relating to recent shootings and racial justice.
Tom Gilberty; expressed concerns relating to garages and ventilation.
James Chaffee; expressed concerns relating to the SF Public Library and democracy.
George Tsang; expressed various concerns relating to the Planning Department.
Male Speaker; expressed various religious concerns.
Joylene Richards; expressed concerns relating to recent shootings and racial justice.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110893 [KALW Day - September 8, 2011]

Sponsor: Mar

Resolution honoring KALW and proclaiming September 8, 2011, as "KALW Day" in the City and County of San Francisco.

Resolution No. 359-11

ADOPTED

110922 [Lost Landmark Plaques for Uptown Tenderloin Historic District]

Sponsor: Kim

Resolution authorizing the placement of sidewalk plaques in front of nine locations in the Tenderloin neighborhood in accordance with Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance.

Resolution No. 360-11

ADOPTED

110923 [Accept and Expend Grant - National Night Out - $3,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a grant from the Target Corporation in the amount of $3,000 to purchase supplies and handouts for National Night Out community events on August 2, 2011.

Resolution No. 361-11

ADOPTED

110925 [Approval of a 30 Day Extension for Planning Commission Review]

Sponsor: Mirkarimi

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self- Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; and 7) making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 362-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mirkarimi requested that File No. 110894 be severed so that it may be considered separately.

110894 [Urging the Suspension of or Termination of Agreements with Immigration and Customs Enforcement on the Police/ICE Collaboration Program Known as "Secure Communities" and Supporting AB 1081]

Sponsors: Mirkarimi; Campos, Mar, Chiu, Avalos and Kim

Resolution urging Governor Jerry Brown and Attorney General Kamala Harris to join the Governors of Illinois, Massachusetts, and New York in suspending or terminating agreements with Immigration and Customs Enforcement (ICE) on the Police/ICE collaboration program known as "Secure Communities" and to support Assembly Bill 1081, the TRUST Act - state legislation that would permit localities to opt out of the program.

Supervisor Kim requested to be added as a co-sponsor.

Supervisor Mirkarimi, seconded by Supervisor Kim, moved that this Resolution be REFERRED to the Public Safety Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory

Supervisor Chu, seconded by Supervisor Mirkarimi, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Chu, seconded by Supervisor Mirkarimi, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110964 [Ortega Branch Library Grand Opening - September 10, 2011]

Sponsor: Chu

Resolution recognizing the grand opening of the new Ortega Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 110964. There were no speakers. The President declared public comment closed.

Resolution No. 363-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Chu, seconded by Supervisor Elsbernd, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Chu, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110965 [Commending the Friends of West Sunset Playground, Neighborhood Parks Council, Rec Connect, and the Recreation and Park and Public Works Departments on the Completion of the West Sunset Playground Rebuild Project]

Sponsor: Chu

Resolution commending the Friends of West Sunset Playground, Neighborhood Parks Council, Rec Connect, and the Recreation and Park and Public Works Departments on the completion of the West Sunset Playground rebuild project.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 110965. There were no speakers. The President declared public comment closed.

Resolution No. 364-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110966 [Park Code - Long Term Management Agreement with the National Park Service for Sharp Park]

Sponsor: Avalos

Ordinance amending the San Francisco Park Code Section 3.20 to: 1) require the Recreation and Park Department to develop a plan; 2) schedule and budget for developing a long term management agreement with the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area's legislative boundary (Sharp Park); and 3) make environmental and other findings.

(Fiscal Impact)

09/06/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/6/2011.

110967 [Police Code - Regulating Public Nudity in Restaurants and Public Seating Areas]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code Section 1071.1 to: 1) prohibit public nudity in restaurants; and 2) prohibit sitting on public benches or public seating areas without clothing or some other separate material between the person's genitals, buttocks, or anal region and the seating surface.

09/06/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 10/6/2011.

Resolutions

110957 [Accept and Expend Grant - Airport Canine Explosives Detection Team Program - $600,500]

Sponsor: Chu

Resolution authorizing the Airport Commission to accept and expend funding in the amount of $600,500 from the Transportation Security Administration for the Airport Canine (K-9) Explosives Detection Team Program.

09/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110968 [Changing the Street Name of a Portion of La Playa to Great Highway]

Sponsor: Chu

Resolution authorizing a street name change on a portion of La Playa Street between Lawton Street and Kirkham Street to "Great Highway" to correct a discrepancy in dual street names and eliminate confusion in delivering public services.

09/06/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110969 [Agreement - Owners' Association - Administration/Management of Civic Center Community Benefit District]

Sponsor: Kim

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based Community Benefit District known as the "Civic Center Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code.

09/06/11; RECEIVED AND ASSIGNED to Rules Committee.

110970 [Annual Reports - Central Market Community Benefit District]

Sponsor: Kim

Resolution regarding Central Market Community Benefit District annual reports to the City by receiving and approving the District's Annual Reports for calendar years 2007, 2008, 2009, and 2010, as submitted, pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

09/06/11; RECEIVED AND ASSIGNED to Rules Committee.

110971 [Assessment Ballots for City Parcels to Form the Proposed West Portal Community Benefit District]

Sponsor: Elsbernd

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of two parcels of real property, over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed property and business improvement district to be named the West Portal Community Benefit District.

09/06/11; RECEIVED AND ASSIGNED to Rules Committee.

110972 [Contract - San Francisco Community Health Authority - Provider Payment Services for the Healthy San Francisco Program]

Sponsor: Mayor

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract with the San Francisco Community Health Authority for provider payment services for the Healthy San Francisco Program for the term of July 1, 2011, through June 30, 2012.
(Fiscal Impact)

09/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110973 [Commendation of the Stern Grove Festival Association]

Sponsors: Elsbernd; Chiu and Chu

Resolution commending the Stern Grove Festival Association for a successful season of high quality performances.

09/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110974 [Multifamily Housing Revenue Bonds - 1180 Fourth Street Family Housing - Not to Exceed $50,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Housing Development Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $50,000,000 for 1180 Fourth Street Family Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $50,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

09/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110975 [Multifamily Housing Revenue Bonds - Natoma Family Apartments - Not to Exceed $20,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Housing Development Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $20,000,000 for Natoma Family Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

09/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110976 [Hearing - Youth Violence Prevention Initiative: Local Action Plan Report]

Sponsor: Mirkarimi

Hearing on the "Youth Violence Prevention Initiative: Local Action Plan" Report by the Department of Children, Youth, and Their Families.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

110139 [Settlement of Lawsuit - Loren Miller Homes - $317,500]

Ordinance authorizing settlement of the lawsuit filed by Loren Miller Homes, a California corporation, against the City and County of San Francisco for $317,500; the lawsuit was filed on July 22, 2010, in San Francisco Superior Court, Case No. CGC-10-501831; entitled Loren Miller Homes v. City and County of San Francisco, et al. (City Attorney)

07/25/11; RECEIVED AND ASSIGNED to Rules Committee.

110903 [Administrative Code - Nonprofit Annual Economic Statement]

Ordinance amending the San Francisco Administrative Code Section 10.1 to allow Nonprofits receiving City funding to provide and update information directly to City Departments as an alternative to filing annual income statements with the City Administrator. (City Administrator)

08/11/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/6/2011.

110904 [Administrative Code - References to the Bureaus of Architecture, Engineering, and Construction Management]

Ordinance amending the San Francisco Administrative Code Section 2A.190 to deem each reference to the "Bureau of Architecture," "Bureau of Engineering," and "Bureau of Construction Management" in the San Francisco Municipal Code to be a reference to the "Department of Public Works." (Public Works Department)

08/12/11; ASSIGNED to Rules Committee.

110954 [Settlement of Lawsuit - Julio Calero - $75,000]

Ordinance authorizing settlement of the lawsuits filed by Julio Calero against the City and County of San Francisco for $75,000; the lawsuits were filed on September 18, 2009, and March 19, 2010, in San Francisco Superior Court, Case Nos. CGC-08-479969 and CGC-10-497921; entitled Julio Calero, et al. v. City and County of San Francisco, et al. and Julio Calero, et al. v. Colin Construction Company, et al. (City Attorney)

08/19/11; RECEIVED AND ASSIGNED to Rules Committee.

110955 [Settlement of Lawsuits - Mitchell Engineering; Authorization of Bonds and Appropriation of Funds - Not to Exceed $15,750,000]

Ordinance: 1) authorizing settlement of all claims arising out of nine lawsuits involving Mitchell Engineering and the City and County of San Francisco; 2) declaring the intent of the San Francisco Public Utilities Commission to reimburse certain expenditures for settlement costs from proceeds of future bonded indebtedness for purposes of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended; 3) authorizing the issuance of Settlement Bonds in connection therewith, as well as the associated financing cost to issue; 4) appropriating $15,750,000, including insurance proceeds in the total amount of $750,000, project construction funds in the total amount of $920,207, and proceeds of Settlement Bonds in the amount of $14,079,793; and 5) authorizing the use of substitute fund balance as a source in lieu of Settlement Bonds if available. (City Attorney)

08/26/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

110933 [Contract Amendment - Western States Oil - Not to Exceed $78,300,000]

Resolution approving the Fifth Amendment to the Agreement between the City and Western States Oil increasing the total not-to-exceed amount of the contract from $50,500,000 to $75,580,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact)

08/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110956 [Settlement of Claim - Ernst & Young, LLP - $158,646.36]

Resolution approving the settlement of the unlitigated claim filed by Ernst & Young, LLP, against the City and County of San Francisco for refund of payroll taxes for the 2009 tax year in the amount of $158,646.36; claim was filed on February 25, 2011. (City Attorney)

08/19/11; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring the City Attorney to draft legislation to require the creation of a searchable, user-friendly online database of all uses of public funds by the City and County of San Francisco.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Northeast corner Market and Octavia
Southwest corner Haight and Buchanan
In front of 136 Haight
In front of 1647 Haight
Southwest corner Haight and Scott
Southwest corner Buchanan and Haight
In front of 1230 Hayes
Northwest corner Buchanan and Hayes
In front of 770 Grove
In front of 552 Octavia
Northwest corner Octavia and Grove
Near 310 Ivy
In front of 550 Fell
In front of 488 Fell
Northwest corner Fell and Gough
Southeast corner Octavia and Lily
In front of 200 Page
In front of 120 Page
In front of 332 Haight

Wood Poles
Southwest corner Webster and Page
In front of 709 Fillmore
Near 730 Fillmore
In front of 315 Buchanan
Southwest corner Scott and Page
Southwest corner Octavia and Page

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

616 Divisadero
780 Oak
299 Steiner
1335 Hayes
Near 1211 Hayes
600 Octavia
428 Grove, on the East side
451 Hayes, on the West side

406 Hayes
350 Laguna
285 Divisadero
1067 Oak, on the West side
540 Haight
587 Haight
478 Haight
799 Haight, on the Scott street side
500 Duboce, also on the Fillmore side
712 Haight
902 Divisadero
1300 Haight
295 Buchanan
1368 Haight
160 Pierce
1368 Haight
1558 Haight
600 Page, on Page and Fillmore Street
590 Baker
602 Broderick
1355 Fulton
55 Laguna, on Haight and Buchanan side

From Supervisor Mirkarimi
To Director, Department of Public Works
Requesting/Inquiring Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irvine and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

From Supervisor Mirkarimi
To Director, Department of Public Works
Requesting/Inquiring Requesting the Department of Public Works to report on the status of removing graffiti from the following locations

Garbage Cans
Southeast corner Waller and Fillmore
Southeast corner Page and Fillmore
Northwest corner Gough and Fell
Near 10 Haight
Southwest corner McAllister and Baker
Northeast corner Hayes and Fillmore
Southeast corner Page and Fillmore
Southeast corner Octavia and Hayes
Northeast corner Page and Fillmore
Southwest corner Geary and Steiner

Mailboxes
Northeast corner Buchanan and Fell
Northeast corner Haight and Buchanan
Northeast corner Scott and Haight
Near 1 Haight
Southwest corner Laguna and Hayes
Northeast corner Fell and Haight

From Supervisor Mirkarimi
To Director, Department of Public Works
Requesting/Inquiring Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations

Utility Boxes
Southeast corner Buchanan and Fell
Near 1130 Oak
Near 399 Ivy
Southwest corner Gough and Page
Northwest corner Divisadero and Oak
Northwest corner Webster and Grove
Southwest corner Steiner and Haight
Southeast corner Oak and Fillmore
Northwest corner Fillmore and Hermann

Bus Shelters
Southwest corner Pierce and Hayes
Southwest corner Buchanan and Haight
Southeast corner Divisadero and Haight
Northeast corner Divisadero and McAllister
Northeast and Southwest corner Hayes and Fillmore
Southwest corner Haight and Pierce
Northwest corner McAllister and Fillmore
In front of 500 Fillmore
Southwest corner Oak and Fillmore
Fillmore and Haight (all 4 bus stops have graffiti and grime on the canopies)

Fire Hydrants

Northwest corner Oak and Divisadero
Northwest corner Octavia and Fell
Southeast corner Scott and Oak

Emergency Boxes
Southeast corner Medical enter Way and Parnassus
Northwest corner Pierce and Hayes

From Supervisor Mirkarimi
To Director, Department of Public Works
Requesting/Inquiring Requesting the Department of Public Works to report on the status of repairing potholes at the following locations.

Potholes, Lights and Sidewalk Issues
Western crosswalk at Grattan and Shrader

In Memoriams

John McEllistrim – Supervisor Carmen Chu
Nelda Jarvis – Supervisor Malia Cohen
Debra Manoguerra – Supervisor Mark E. Farrell
William Schoepp – Supervisor Eric Mar
Mary Tissier – Supervisor Sean R. Elsbernd
Donald Casper – Full Board
Eric Quezada – Full Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:55 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 18, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 3 0 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 13, 2011 - 2:00 PM

Hearing Room 416
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	**Meeting Days**
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 33

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Cohen was noted absent. There was a quorum.

Supervisor Cohen was noted present at 2:08 p.m.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

110932 [Formal Policy Discussions - September 13, 2011]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 1, 3, 5, 7, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. The proposed California Pacific Medical Center (CPMC) expansion offers the City an opportunity to potentially improve the health care options available to its residents. This expansion could also result in the loss of critical services to some of our most vulnerable citizens. Six Supervisors have publicly indicated that they will not support a CPMC deal that does not include a Community Benefits Agreement that is acceptable to the various community coalitions that have been negotiating with CPMC for the past two years. I understand that there has been much progress made towards drafting a Development Agreement between the City and CPMC. However, a Development Agreement, for legal reasons, cannot contain some of the provisions that are of most importance to the community, such as giving the community the ability to enforce whatever agreements that are made in the Development Agreement. Are you willing to require that CPMC enter into a Community Benefits Agreement before their proposal is approved by the City? (Supervisor Mar, District 1)

2. A series of pilot projects on Market Street in the past few years has reduced MUNI delays and improved safety for people walking and bicycling while also supporting local business with increased foot traffic. Given these successes and the fact that most San Francisco drivers already know to avoid the lower Market Street gridlock, do you support a trial diversion of private automobiles from Market Street downtown except to cross it, and the implementation of additional pilot projects to significantly increase the priority and safety of people using public transit, bicycling, and walking on Market Street? Specifically, what on-the-ground pilots should happen soon while long-term planning process continues on San Francisco's most important transit, bicycling, and walking street? And by when should these pilots occur? (Supervisor Chiu, District 3)

3. As a result of AB 109, and Realignment, San Francisco is projected to receive $5.7 million from the state in FY2011-2012 to help accommodate approximately 700 additional criminal offenders. Adult Probation Chief Wendy Still estimates that a combination of state and local funding does not cover the costs of San Francisco's realignment plan. Chief Still projects that the City will be $1.5 million to $3.5 million short of meeting local realignment funding objectives. How do you propose to address this funding gap? (Supervisor Mirkarimi, District 5)

4. Please discuss the current status, progress, and future of the Central Subway Project? (Supervisor Elsbernd, District 7)

5. The Controller's Office found that City departments overspent their budgeted overtime by 40 million in FY2010-2011. The top 10 City departments that use the most overtime (SF Municipal Transportation Agency (SFMTA), Fire, Police, Public Health, Sheriff, Public Utilities Commission, Airport, Public Works, Emergency Management, and Recreation and Park) account for 97% of total Citywide overtime hours. The SFMTA alone represents 42% of overtime overruns. I, along with Supervisor Farrell, introduced legislation to require departments that propose spending more on overtime than previously budgeted to first obtain approval from the Board of Supervisors in the form of a supplemental appropriation. We also urged the SFMTA, whose budget line items the Board of Supervisors and the Mayor cannot change, but whose overall budget we can approve or reject - to create an overtime spending reduction plan. Will you support our good governance legislation? As we seek funds to improve service for MUNI riders, how will you ensure that the SFMTA decreases its overtime overruns? (Supervisor Campos, District 9)

6. The Board of Supervisors and Mayor approved a process for question time that has led to a very scripted interaction between our two bodies. I do not believe this was the intent of the legislation. What are you willing to do to change the format to make it a truly interactive, substantive, and dynamic exchange? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

CONSENT AGENDA

Recommendations of the Rules Committee

101574 [Elections Code - E-mailing the Voter Information Pamphlet]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Municipal Elections Code Section 500, and adding Section 502, to require the Director of Elections to establish a process that permits voters to choose to receive the San Francisco Voter Information Pamphlet and associated materials by electronic means instead of by paper mail.

Ordinance No. 179-11

FINALLY PASSED

110806 [Administrative Code - Deleting Outdated References to Telecommunications Commission]

Ordinance repealing the San Francisco Administrative Code Section 11.84, thereby dissolving the Telecommunications Commission. (Clerk of the Board)

Ordinance No. 178-11

FINALLY PASSED

110809 [Administrative Code - Dissolving Drug Abuse and City-Wide Alcoholism Advisory Boards]

Ordinance repealing the San Francisco Administrative Code Sections 15.17 and 15.19, thereby dissolving the Drug Abuse Advisory Board and the City-Wide Alcoholism Advisory Boards, respectively. (Clerk of the Board)

Ordinance No. 177-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

110503 [Administrative Code - Regulating Overtime Available for City Employees]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code, Section 18.13.1 to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and to specify and modify written reports to be submitted regarding overtime information.

Privilege of the floor was granted to Micki Callahan, Human Resources Director, who responded to questions raised throughout the discussion.

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Ordinance amending the San Francisco Administrative Code Section 18.13.1 to limit the overtime worked in any fiscal year by any employee to 25% of regularly scheduled hours and to specify and modify written reports to be submitted regarding overtime information.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Avalos

From the Land Use and Economic Development Committee Without Recommendation

110857 [Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]
Sponsors: Mayor; Avalos
Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.

Ordinance No. 176-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

110496 [License Agreement - Non-Stop Music Library, L.C.]

Ordinance retroactively approving an agreement with Non-Stop Music Library, L.C., to license the use of a music library and waiving certain requirements of the Administrative Code with respect to the license agreement. (Department of Technology)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110781 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2011-2012]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate of residential tenants pursuant to Chapter 37 of the Administrative Code for FY ending June 30, 2012.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110782 [Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for FY ending June 30, 2012.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110783 [Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for FY ending June 30, 2012.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110784 [Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for FY ending June 30, 2012.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Privilege of the floor was granted to Ben Rosenfield, Controller, who responded to questions raised throughout the discussion relating to File Nos. 110902 and 110907.

110902 [Public Employment - Amendment to the Annual Salary Ordinance for Adult Probation, District Attorney, and Public Defender - FY2011-2012]

Sponsors: Mayor; Mirkarimi

Ordinance amending Ordinance No. 146-11 (Annual Salary Ordinance FY2011-2012) to reflect the addition of 31 positions (20.59 FTE) in various job classes for Assembly Bill 109 Public Safety Realignment consisting of adding 27 positions (17.76 FTE) in Adult Probation, 2 positions (1.50 FTE) in Public Defender, and 2 positions (1.33 FTE) in District Attorney.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110907 [Appropriating State Assembly Bill 109 Realignment Fund to Support Expenditures at the Adult Probation and Other Departments for FY2011-2012 - $5,787,176]

Sponsors: Mayor; Mirkarimi

Ordinance appropriating $5,787,176 of Assembly Bill 109 Public Safety Realignment revenue to support related expenditures at Adult Probation, District Attorney, Public Defender, and Sheriff for FY2011-2012.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110581 [Contract Amendment - In-Home Supportive Services Provider Benefits and Administration - $419,187,910]

Resolution amending Resolution No. 291-06 File No. 060333 that approved the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of administration, health and dental benefits to IHSS independent providers for the period of July 1, 2006, to June 30, 2016, in the amended amount of $419,187,910.
(Human Services Department)
(Fiscal Impact.)

Resolution No. 376-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110680 [Master Lease Amendment - U.S. Navy - Treasure Island South Waterfront]

Resolution approving the Twenty-Seventh Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Resolution No. 370-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110681 [Master Lease Amendment - U.S. Navy -Treasure Island Childcare]
Resolution approving the Seventh Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Resolution No. 371-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110682 [Cooperative Agreement Modification - U.S. Navy - Treasure Island]
Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification of the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2011, to September 30, 2012. (Treasure Island Development Authority)

Resolution No. 372-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110683 [Master Lease Amendment - U.S. Navy - Treasure Island Event Venues]
Resolution approving the Twenty Third Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Resolution No. 373-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110684 [Master Lease Amendment - U.S. Navy - Treasure Island Land and Structures]
Resolution approving the Thirty-Fifth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Resolution No. 374-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110685 [Master Lease Amendment - U.S. Navy - Treasure Island Marina]
Resolution approving the Fifteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

Resolution No. 375-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110920 [2011 Public Safety Realignment Plan]

Sponsor: Mayor

Resolution approving the City and County of San Francisco 2011 Public Safety Realignment Plan.

Resolution No. 369-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110921 [Certificates of Participation - Moscone Center Refunding Project - Not to Exceed $110,000,000]

Sponsor: Mayor

Resolution approving the execution and delivery of not to exceed $110,000,000 aggregate principal amount of Refunding Certificates of Participation for the purpose of refinancing certain lease revenue refunding bonds issued by the Redevelopment Agency; approving a property lease, project lease, escrow agreements, and a trust agreement; providing for the manner of sale of Refunding Certificates of Participation, whether by competitive or negotiated sale; approving the form of the official notice of sale and the notice of intention to sell for the Refunding Certificates of Participation; directing the publication of the notice of intention to sell for the Refunding Certificates of Participation; approving the form of the Certificate Purchase Contract; approving the form of the official statement in preliminary and final form; approving the form of the continuing disclosure certificate; authorizing the acceptance by the City of certain property in connection with the execution and delivery of the Refunding Certificates of Participation; authorizing the payment of cost of issuance; authorizing the taking of appropriate actions in connection therewith; and related matters.
(Fiscal Impact)

Resolution No. 368-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110957 [Accept and Expend Grant - Airport Canine Explosives Detection Team Program - $600,500]

Sponsor: Chu

Resolution authorizing the Airport Commission to accept and expend funding in the amount of $600,500 from the Transportation Security Administration for the Airport Canine (K-9) Explosives Detection Team Program.

Resolution No. 365-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Committee Without Recommendation

Privilege of the floor was granted to Martin Gran (Human Resources Department) who responded to questions raised throughout the discussion relating to File Nos. 110847, 110849, 110850, 110851, 110852, and 110848.

110847 [Memorandum of Understanding, Amendment No. 5 - San Francisco Firefighters, Local 798 (Unit 2)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 5 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Firefighters, Local 798 (Unit 2), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110849 [Memorandum of Understanding, Amendment No. 4 - San Francisco Police Officers' Association (Units P-1 & P-2A)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110850 [Memorandum of Understanding, Amendment No. 4 - Municipal Executives' Association, Fire]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the Municipal Executives' Association, Fire, by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110851 [Memorandum of Understanding, Amendment No. 4 - San Francisco Police Officers' Association (Unit P-2B)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110852 [Memorandum of Understanding, Amendment No. 4 - Municipal Executives' Association, Police]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the Municipal Executives' Association, Police, by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014 and 2014-2015.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chu Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that Supervisor Chu be excused from voting on File No. 110848. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Chu

110848 [Memorandum of Understanding, Amendment No. 5 - San Francisco Firefighters, Local 798 (Unit 1)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 5 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Firefighters, Local 798 (Unit 1), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.
(Supervisor Chu excused from voting.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Chu

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110738 [Public Hearing - Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]

Sponsor: Mirkarimi

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the sponsor. Susan King; Todd Clear; spoke in support of the district. Ace Washington; Francisco Da Costa; Reverend Townsend; expressed various concerns relating to the district. Madison Scott; Daniel Landry; Male Speaker; spoke in support of the proposed continuance. Walter Paulson; shared in song certain concerns relating to the district. There were no other speakers.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to October 18, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to October 18, 2011, at 3:00 p.m.

Committee of the Whole Adjourn and Report

110739 [Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]

Sponsor: Mirkarimi

Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to October 18, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 4:00 P.M.

110935 [Public Hearing - Conditional Use Appeal - 3151-3155 Scott Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 14, 2011, Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ, by its Motion No. 18405, under Planning Code Sections 303 and 249.55 to convert a vacant tourist hotel (dba Edward II Inn) to a group housing use containing up to 25 units (24 units for transitional age youth between 18 and 24, and one manager's unit) within the NC-3 (Moderate Scale, Neighborhood Commercial) District, the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) and a 40-X Height and Bulk District, on property located at 3151-3155 Scott Street, Assessor's Block No. 0937, Lot No. 001. (District 2) (Appellant: Adam Polakoff on behalf of Cow Hollow Association, joined by Various Associations.)
(Filed August 15, 2011; Companion Measure to File Nos. 110936, 110937, and 110938.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance due to the related categorical exemption appeal. Male Speaker; Peter Alexander; Doug Malar; Francisco Da Costa; expressed various concerns relating to the project. There were no other speakers.

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED to October 4, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to October 4, 2011, at 4:00 p.m.

110936 [Approving the Planning Commission's Decision Related to the Conditional Use Authorization - 3151-3155 Scott Street]

Motion approving the Planning Commission's decision, by its Motion No. 18405, approving the Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to October 4, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110937 [Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 3151-3155 Scott Street]

Motion disapproving the Planning Commission's decision, by its Motion No. 18405, approving Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to October 4, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110938 [Preparation of Findings Related to the Conditional Use Authorization - 3151-3155 Scott Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to October 4, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMITTEE REPORT

110589 [Planning Code - Zoning Map - Establishing the Lombard and Scott Street Affordable Group Housing Special Use District - 3151-3155 Scott Street]

Sponsors: Chiu; Avalos, Kim, Mar, Mirkarimi and Campos

Ordinance amending the San Francisco Planning Code Section Map 2SU, and adding Section 249.55 to: 1) create the Lombard and Scott Street Affordable Group Housing Special Use District for the real property encompassing 3151-3155 Scott Street (Assessor's Block No. 0937, Lot No. 001), at the southwest corner of Scott and Lombard Streets, in order to facilitate the development of an affordable group housing project; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

This item was not sent as a Committee Report.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Robert Williams; expressed concerns relating to support for veterans.
Male Speaker; expressed concerns relating to support for veterans.
James Chaffee; expressed concerns relating to the SF Public Library.
Madison Scott; expressed concerns relating to violence in the community.
Charlie Walker; expressed concerns relating to civil rights.
Male Speaker; expressed concerns relating to children health and safety.
Peter Alexander; expressed various concerns.
Doug Malar; expressed various concerns.
Francisco Da Costa, expressed various concerns.
Espinola Jackson; expressed support for local hiring.
Gregory Hall; expressed support for local hiring.
Ace Washington; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
F. Joseph Butler; expressed concerns relating to staffing for environmental review.
John Burrows; expressed various concerns.
Male Speaker; expressed support for Pier 38 improvements.
Bill Burden; expressed support for Pier 38 improvements.
Kirk Lane; expressed support for Pier 38 improvements.
Amil; expressed support for Pier 38 improvements.
Bob Christopher; expressed support for Pier 38 improvements.
Male Speaker; expressed support for Pier 38 improvements.
Glenn Jones; expressed support for Pier 38 improvements.
Joshua Arsay; expressed support for local hiring.
Oscar James; expressed support for local hiring.
Chris Rizio; expressed support for Pier 38 improvements.
Male Speaker; expressed support for Pier 38 improvements.
Pastor Josiah Bell; expressed support for local hiring.
David Black; expressed support for Pier 38 improvements.
Tom Gilberty; expressed concerns relating to garages and ventilation.
Paul Lucas; expressed support for local hiring.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110973 [Commendation of the Stern Grove Festival Association]

Sponsors: Elsbernd; Chiu and Chu

Resolution commending the Stern Grove Festival Association for a successful season of high quality performances.

Supervisor Chu requested to be added as a co-sponsor.

Resolution No. 377-11

ADOPTED

110974 [Multifamily Housing Revenue Bonds - 1180 Fourth Street Family Housing - Not to Exceed $50,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Housing Development Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $50,000,000 for 1180 Fourth Street Family Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $50,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 366-11

ADOPTED

110975 [Multifamily Housing Revenue Bonds - Natoma Family Apartments - Not to Exceed $20,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Housing Development Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $20,000,000 for Natoma Family Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 367-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110998 [Administrative Code - Health Care Security Ordinance]
Sponsors: Campos; Cohen, Mar, Avalos, Kim and Mirkarimi
Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, and 14.4 to: 1) clarify that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) add an employee notification requirement; 3) modify penalty provisions; and 4) set an operative date.

09/13/11; ASSIGNED to Government Audit and Oversight Committee.

110999 [Administrative Code - Financial Policy Regarding Selected Nonrecurring Revenues]
Sponsors: Mayor; Chiu, Farrell and Chu
Ordinance amending the San Francisco Administrative Code Section 10.60, and adding Section 10.61, to adopt a binding financial policy under Charter Section 9.120 providing that Selected Nonrecurring Revenues may only be spent on Nonrecurring Expenditures. (Controller)
(Fiscal Impact.)

09/13/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/13/2011.

111000 [Administrative Code - Certificates of Participation and Commercial Paper Debt Policies]
Sponsors: Mayor; Farrell, Chiu and Chu
Ordinance amending the San Francisco Administrative Code by adding Section 10.62 to adopt a binding financial policy under Charter Section 9.120. (Controller)

09/13/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/13/2011.

111001 [Administrative Code - Budget Procedures and Reporting Requirements]
Sponsors: Mayor; Chiu, Farrell and Chu
Ordinance amending the San Francisco Administrative Code Sections 3.3, 3.4, 3.5, 3.6, 3.20, 22A.6, and 88.4, and by repealing Sections 88.8, and 88.10 to: 1) update budget procedures to accommodate two-year budget cycles and five-year financial planning requirements; and 2) eliminate outdated and duplicative reporting requirements. (Controller)

09/13/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/13/2011.

Resolutions

110791 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Hiring Practices of the City and County of San Francisco"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Hiring Practices of the City and County of San Francisco" and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. (Clerk of the Board)

06/24/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110793 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "San Francisco's Ethics Commission: The Sleeping Watchdog"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "San Francisco's Ethics Commission: The Sleeping Watchdog" and urging the Mayor to cause the implementation of accepted findings and recommendations through his department heads and through the development of the annual budget. (Clerk of the Board)

06/24/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111002 [Accept and Expend Grant - Local Juvenile Justice Accountability Measures - $149,896]

Sponsor: Campos

Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of $149,896 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

09/13/11; RECEIVED AND ASSIGNED to Public Safety Committee.

111003 [Termination Agreement(s) - Breda Light Rail Vehicle Leveraged Lease Transactions]

Sponsors: Farrell; Chu

Resolution authorizing the Municipal Transportation Agency to enter into one or more consensual termination agreements with the equity investors and other parties that participated in the leveraged lease transactions executed in 2002 and 2003 with respect to the San Francisco Municipal Transportation Agency's Breda light rail vehicles, provided that there is no net financial cost to the City/San Francisco Municipal Transportation Agency for the terminations.
(Fiscal Impact)

09/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111004 [Jurisdictional Transfer of City Property - 17th Street and Folsom Street]

Sponsors: Kim; Avalos, Mirkarimi, Campos and Wiener

Resolution 1) approving the jurisdictional transfer of portions of Assessor's Block No. 3571, Lot No. 018, of the City and County of San Francisco, all currently under the jurisdiction of the San Francisco Public Utilities Commission, partially to the Mayor's Office of Housing as to 29,075 square feet, and partially to the Recreation and Park Department as to 31,578 square feet; 2) approving the transfer price of $4,000,000 from the Mayor's Office of Housing to San Francisco Public Utilities Commission and of $2,271,850 from the Recreation and Park Department to San Francisco Public Utilities Commission; 3) adopting findings, including environmental findings, General Plan findings, and Planning Code Section 101.1 findings; and (4) authorizing other actions in furtherance of this Resolution.

09/13/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111005 [Accept and Expend Grant - Primary and Behavioral Health Care Integration - $473,485]

Sponsor: Kim

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant from Department of Health and Human Services, Substance Abuse and Mental Health Services, and Center for Mental Health Services in the amount of $473,485 to fund the Primary and Behavioral Health Care Integration for the period September 1, 2011, through August 31, 2012.

09/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111008 [Resolution to Establish the West Portal Community Benefit District]

Sponsor: Elsbernd

Resolution establishing a property-based business improvement district to be known as the "West Portal Community Benefit District," ordering the levy and collection of assessments against property located in that district for 13 years commencing with FY2011-2012, with services, activities, and improvements to be provided for 13 calendar years commencing January 1, 2012, subject to conditions as specified, and making environmental findings.

09/13/11; ASSIGNED to Board of Supervisors.

111009 [Adopting a Fixed Two-Year Budget for Airport, the Port, and the Public Utilities Commission]

Sponsors: Mayor, Chiu, Farrell and Chu

Resolution adopting a fixed two-year budgetary cycle for the Airport, the Port, and the Public Utilities Commission, defining terms, and setting deadlines. (Controller)

09/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111010 [General Obligation Refunding Bonds - Series 2011-R1 - Not to Exceed $1,355,991,219]

Sponsor: Mayor

Resolution authorizing the issuance from time to time, in one or more series, of not to exceed $1,355,991,219 aggregate principal amount of the City and County of San Francisco General Obligation Refunding Bonds, including the initial series or series of such Bond to be designated as "City and County of San Francisco General Obligation Refunding Bonds, Series 2011-R1," to refund certain outstanding General Obligation Bonds; approving the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories, verification agents, and other agents for said bonds; approving the form and authorizing the execution and delivery of escrow agreements relating to the refunded bonds; approving and directing the tax levy for repayment of said bonds; approving procedures for competitive or negotiated sales including approving forms of official notice of sale and notice of intention to sell said bonds and authorizing the selection of underwriters and the execution and delivery of bond purchase agreements; approving the form and authorizing the execution and delivery of continuing disclosure certificates; approving the form and authorizing the distribution of the preliminary official statement and authorizing the execution, delivery, and distribution of the official statement for the Series 2011 R1 Bonds; authorizing payment of costs of issuance of said bonds; approving modifications to documents; ratifying actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the bonds and the refunding of certain outstanding General Obligation Bonds.
(Fiscal Impact.)

09/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111011 [Accept and Expend Grant - Health Care Services Master Plan Community Stakeholder Interviews - $20,000]

Sponsor: Campos

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of $20,000 from the San Francisco Foundation to fund the program entitled "Health Care Services Master Plan Community Stakeholder Interviews" for the period of September 1, 2011, through August 31, 2012, and waiving indirect costs.

111012 [Accept and Expend Grant - Pier 43 Promenade Bay Trail Extension - $90,000]

Sponsor: Chiu

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $90,000 from the State of California Coastal Conservancy, through the Association of Bay Area Governments Bay Trail Program, for the Pier 43 Promenade Bay Trail Project in Fisherman's Wharf.

111013 [Market Street Pilot Projects]

Sponsor: Chiu

Resolution urging the San Francisco Municipal Transportation Agency and other departments and agencies to implement near-term pilot projects, including increased private automobile diversions, to speed up transit along Market Street while improving the safety and comfort of people walking and biking and supporting the local commercial and cultural function of the street.

111014 [Accept and Expend Grant - Cargo Way Bicycle Lane Improvement Project - $70,000]

Sponsor: Cohen

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $70,000 from the State of California Coastal Conservancy, through the Association of Bay Area Governments Bay Trail Project Program, for the Cargo Way Bicycle Lane Improvement Project along Cargo Way between Third and Jennings Streets as part of the Blue Greenway project.

111015 [Eric F. Quezada Day - September 25, 2011]

Sponsors: Mar; Campos, Avalos, Kim, Mirkarimi and Chiu

Resolution honoring Eric F. Quezada for his extraordinary work as a leader of San Francisco's Social Justice Movement and proclaiming September 25, 2011, as "Eric F. Quezada Day" in the City and County of San Francisco.

111016 [Accept and Expend Grant - Smoking Cessation Buprenorphine Treated Patients - $48,000]

Sponsor: Mar

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the University of California, San Francisco in the amount of $48,000 to fund the project entitled "Smoking Cessation Intervention in Buprenorphine Treated Patients" for the period of June 1, 2011, through May 31, 2012, and waiving indirect costs.

111017 [Peter Berg Day - October 1, 2011]

Sponsors: Mirkarimi; Avalos

Resolution proclaiming October 1, 2011, as "Peter Berg Day" in the City and County of San Francisco for his extraordinary contribution to the understanding of environmental sustainability, urban re-vegetation, and originating the concept of bioregionalism.

111018 [Approval of an Additional Six (6) Months for Planning Commission Review of Zoning Map Amendment for 2301 Market Street (File No. 110224)]

Sponsor: Wiener

Resolution extending by six (6) months the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110224) that would amend the Planning Code by amending Sectional Map HT07 of the Zoning Map of the City and County of San Francisco to rezone the property located at 2301 Market Street on the corner of Market and Noe Streets from a 50-X height and bulk limit to a 65-X height and bulk limit; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

111019 [Glen Park Elementary School Day - September 24, 2011]

Sponsor: Wiener

Resolution honoring the centennial of Glen Park Elementary and proclaiming September 24, 2011, to be "Glen Park Elementary School Day" in the City and County of San Francisco.

111020 [Accept and Expend Grant - HAART Optimism, Drug Use, and Risky Sexual Behavior - $37,856]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from Simon Fraser University in the amount of $37,856 to participate in a program entitled "Highly Active Antiretroviral Therapy Optimism, Drug Use, and Risky Sexual behavior in British Columbia" for the period of May 1, 2011, through March 31, 2012.

Motion

111006 [Committee of the Whole - Public Hearing to Establish the West Portal Community Benefit District]

Sponsor: Elsbernd

Motion directing the Board of Supervisors to hold a public hearing on September 27, 2011, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to Establish the West Portal Community Benefit District.

09/13/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

110790 [2010-2011 Civil Grand Jury Report - Hiring Practices]

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Hiring Practices of the City and County of San Francisco." (Clerk of the Board)

06/14/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110792 [Hearing - 2010-2011 Civil Grand Jury Report - Ethics Commission]

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "San Francisco's Ethics Commission: The Sleeping Watchdog." (Clerk of the Board)

06/16/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111007 [Public Hearing - Resolution to Establish the West Portal Community Benefit District]

Sponsor: Elsbernd

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "West Portal Community Benefit District," ordering the levy and collection of assessments against property located in that district for 13 years commencing with FY2011-2012, with services, activities, and improvements to be provided for 13 calendar years commencing January 1, 2012, subject to conditions as specified, and making environmental findings.

09/13/11; ASSIGNED to Board of Supervisors.

111021 [Hearing - Concerts and Festivals in Golden Gate Park]
Sponsor: Mar

Hearing to gather input from Richmond District residents and other residents surrounding Golden Gate Park and hear reports from Recreation and Park Department, Police, Municipal Transportation Agency, and other relevant departments.

09/13/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111022 [Hearing - Parcel E-2 Environmental Clean-up - Hunter's Point Shipyard]
Sponsor: Cohen

Hearing regarding the U.S. Navy's proposed plan for the environmental clean-up of Parcel E-2 on the Hunter's Point Shipyard.

09/13/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

110960 [Office of the Controller to Examine Confidential State Board of Equalization Tax Records]

Resolution authorizing designated officers and employees of the City and County of San Francisco to examine sales or transactions and use tax records of the State Board of Equalization pursuant to California Revenue and Taxation Code Section 7056. (Controller)

08/31/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110961 [MuniServices, LLC, to Examine Confidential State Board of Equalization Tax Records]

Resolution authorizing MuniServices, LLC, to examine sales or transactions and use tax records of the State Board of Equalization on behalf of the City and County of San Francisco pursuant to California Revenue and Taxation Code Section 7056. (Controller)
(Fiscal Impact.)

08/31/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

1550 Steiner
875 Fulton
905 Fulton
727 Webster
445 Fillmore, side of building
701 Fillmore
160 Steiner
119 Haight, side of building
712 Haight
909 Haight
930 Haight
709 Webster
Opposite 1633 Fillmore
Approximately 550 Fillmore
501 Fillmore
445 Fillmore, on North Side
546 Fillmore
560 Fillmore, on East Side
800 Steiner
802 Steiner
804 Steiner
808 Steiner
Approximately 629 Ivy
800 Haight
432 Central
1529 Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
407 Austin
250 Scott
445 Fillmore
582 Haight Street
823 Grove
899 Fulton
Southeast corner Fulton and Fillmore
In front of Ella Hill Hutch Community Center on McAllister
333 Fillmore
441 Fillmore
Near 357 Haight
Southeast corner Scott and Haight
Southwest corner Fillmore and Waller
Across the street from 757 Grove
Southeast corner Fell and Fillmore

Approximately 1110 Divisadero
Approximately 1140 Divisadero
Approximately 1415 Steiner
Approximately 1560 Scott
Approximately 402 Austin
Near 783 Divisadero
Near 710 Divisadero
Approximately 403 Fillmore
Approximately 755 Fell
Approximately 901 Fulton
Northeast corner of Turk and Divisadero
Opposite 1361 Turk
Opposite 882 Grove
Southwest corner of Geary and Webster
Southwest corner of Webster and Fulton
Approximately 880 Pierce
Approximately 850 Pierce
Approximately 1085 Fell

Wood Poles
Approximately 601 Ivy
617 Ivy
633 Ivy
681 Ivy
450 Fillmore

Concrete Pole
911 Webster

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:
Utility Boxes
Southwest corner of Fillmore and Post
Southeast corner of Post and Buchanan
Northeast corner of Divisadero and Geary
Southwest corner of Geary and Webster
Opposite 1310 Turk
Southwest corner of Grove and Divisadero
Southwest corner of Haight and Steiner
Southwest corner of Haight and Fillmore

Bus Shelters
Northwest corner of Fillmore and Geary
Northeast corner of Pierce and McAllister
Southwest corner of Pierce and Haight
Northeast corner of Oak and Fillmore
Southeast corner of Divisadero and Haight
Southeast corner Buena Vista West and Haight
Southwest corner Buena Vista East and Haight
Northwest corner of McAllister and Webster
Haight and Fillmore; graffiti, all four corners and bus shelters
Northeast corner Masonic and Haight

Emergency Boxes
Northeast corner of Haight and Scott
Northeast corner of Divisadero and Geary
999 Oak

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following newsstands:

San Francisco Bay Guardian
Southwest corner of Divisadero and Sutter
347 Judah
1825B Post
Southwest corner Fillmore and Post
Northwest corner of Pierce and Haight
Northeast corner of Divisadero and Geary
7th Avenue and Irving (near bus stops)
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Southwest corner of Divisadero and Geary
Irving and 7th Avenue
Southeast corner of Post and Buchanan
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner
Northwest corner of Geary and Fillmore
Southeast corner of Haight and Fillmore
Northwest corner of Buchanan and Post
1825B Post
Northwest corner of Pierce and Haight

SF Weekly
Southeast corner of Masonic and Haight
Northeast corner of Post and Buchanan
Southeast corner of Webster and Post
Northeast corner of Haight and Scott
Northwest corner of Pierce and Haight
Northeast corner of Steiner and Haight
Northeast corner of Divisadero and Geary

Advertiser
Northwest corner of Geary and Fillmore

Open Exchange
Southwest corner of Post and Buchanan

USA Today
Southeast corner of Post and Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Mailboxes
Northeast corner of Haight and Scott
Southwest corner of Post and Buchanan
Northwest corner McAllister and Fillmore
Southwest corner Masonic and Haight
Northeast corner Oak and Fillmore
Southeast corner Fell and Fillmore
Southeast corner of Oak and Fillmore
Northwest corner of McAllister and Webster
Northwest corner of Gough and Pine
Northeast corner of Golden Gate and Steiner

Garbage Cans
Northeast corner Laguna and Haight
Southwest corner Geary and Steiner
Southwest corner Buena Vista West and Haight
Northeast corner and Southwest corner Buchanan and Haight

In Memoriams

Peter Berg – Supervisors Mirkarimi and Avalos
Leroy Looper – Supervisors Kim, Wiener, Avalos, and Cohen
William Cox – Supervisor Wiener
Emily Elizabeth Dunn – Supervisor Wiener
Helen McDonnell – Supervisor Chu
Edward Devine – Supervisor Chu
Eloise Westbrook – Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:17 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 18, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 20, 2011 - 2:00 PM

Hearing Room 416
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	**Meeting Days**
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 34

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

110496 [License Agreement - Non-Stop Music Library, L.C.]

Ordinance retroactively approving an agreement with Non-Stop Music Library, L.C., to license the use of a music library and waiving certain requirements of the Administrative Code with respect to the license agreement. (Department of Technology)

Ordinance No. 182-11

FINALLY PASSED

110781 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2011-2012]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate of residential tenants pursuant to Chapter 37 of the Administrative Code for FY ending June 30, 2012.
(Fiscal Impact)

Ordinance No. 192-11

FINALLY PASSED

110782 [Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for FY ending June 30, 2012.

Ordinance No. 183-11

FINALLY PASSED

110783 [Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for FY ending June 30, 2012.

Ordinance No. 184-11

FINALLY PASSED

110784 [Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for FY ending June 30, 2012.

Ordinance No. 185-11

FINALLY PASSED

110902 [Public Employment - Amendment to the Annual Salary Ordinance for Adult Probation, District Attorney, and Public Defender - FY2011-2012]

Sponsors: Mayor; Mirkarimi

Ordinance amending Ordinance No. 146-11 (Annual Salary Ordinance FY2011-2012) to reflect the addition of 31 positions (20.59 FTE) in various job classes for Assembly Bill 109 Public Safety Realignment consisting of adding 27 positions (17.76 FTE) in Adult Probation, 2 positions (1.50 FTE) in Public Defender, and 2 positions (1.33 FTE) in District Attorney.

Ordinance No. 180-11

FINALLY PASSED

110907 [Appropriating State Assembly Bill 109 Realignment Fund to Support Expenditures at the Adult Probation and Other Departments for FY2011-2012 - $5,787,176]

Sponsors: Mayor; Mirkarimi

Ordinance appropriating $5,787,176 of Assembly Bill 109 Public Safety Realignment revenue to support related expenditures at Adult Probation, District Attorney, Public Defender, and Sheriff for FY2011-2012.

Ordinance No. 181-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

110503 [Administrative Code - Regulating Overtime Available for City Employees]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code Section 18.13.1 to limit the overtime worked in any fiscal year by any employee to 25% of regularly scheduled hours and to specify and modify written reports to be submitted regarding overtime information.

Ordinance No. 193-11

FINALLY PASSED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Avalos

From the Budget and Finance Committee Without Recommendation

110847 [Memorandum of Understanding, Amendment No. 5 - San Francisco Firefighters, Local 798 (Unit 2)]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 5 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Firefighters, Local 798 (Unit 2), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

Ordinance No. 186-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110849 [Memorandum of Understanding, Amendment No. 4 - San Francisco Police Officers' Association (Units P-1 & P-2A)]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

Ordinance No. 187-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110850 [Memorandum of Understanding, Amendment No. 4 - Municipal Executives' Association, Fire]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the Municipal Executives' Association, Fire, by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

Ordinance No. 188-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110851 [Memorandum of Understanding, Amendment No. 4 - San Francisco Police Officers' Association (Unit P-2B)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

Ordinance No. 189-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110852 [Memorandum of Understanding, Amendment No. 4 - Municipal Executives' Association, Police]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the Municipal Executives' Association, Police, by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014 and 2014-2015.

Ordinance No. 191-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chu Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Avalos, moved that Supervisor Chu be excused from voting on File No. 110848. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Chu

110848 [Memorandum of Understanding, Amendment No. 5 - San Francisco Firefighters, Local 798 (Unit 1)]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 5 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Firefighters, Local 798 (Unit 1), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.
(Supervisor Chu excused from voting.)

Ordinance No. 190-11

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Chu

NEW BUSINESS

Recommendations of the Budget and Finance Committee

110720 [Administrative Code - Gift Funds]
Sponsors: Mayor; Chiu and Chu
Ordinance amending the San Francisco Administrative Code to: 1) create a Recreation and Parks Gift Fund; 2) update the Mayor's Earthquake Emergency Relief Fund to broaden its purpose as a general disaster recovery fund; and 3) amend the Mayor's Fund for the homeless to change the administering agency.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110695 [Lease and Use Agreement - Cathay Pacific Airways Limited]
Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L-10-0081 with Cathay Pacific Airways Limited for lounge space in the International Terminal of San Francisco International Airport. (Airport Commission)
(Fiscal Impact)

Resolution No. 379-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110778 [Real Property Lease - Mercy Commercial California - 1360 Mission Street]
Resolution authorizing the lease of 1360 Mission Street, Suite 401, for the Department of Public Health. (Real Estate Department)

Supervisor Kim, seconded by Supervisor Chu, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution authorizing the lease with Mercy Commercial California for property located at of 1360 Mission Street, Suite 401, for the Department of Public Health. (Real Estate Department)

Resolution No. 380-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110914 [Assessor-Recorder's Base Recording Fee Increase from $4 to $10]

Sponsor: Kim

Resolution authorizing an increase in the Assessor-Recorder's base fee for recording and indexing the first page of every instrument, paper, or notice from $4 to $10 pursuant to California Government Code Section 27361(a).

Resolution No. 381-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110916 [Real Property Lease Amendment - Northeast Corner of Octavia Boulevard and Fell Street]

Sponsor: Mirkarimi

Resolution approving an amendment of lease between the City and County of San Francisco and PROXYdevelopment, LLC, for property located at the northeast corner of Octavia Boulevard and Fell Street, commonly known as a portion of Assessor's Block No. 0817, Lot No. 33 (Parcel L), to extend the lease term from four years to five years.

Resolution No. 382-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110917 [Real Property Sublease Amendment - Southeast Corner of Octavia Boulevard and Hayes Street]

Sponsor: Mirkarimi

Resolution approving an amendment of sublease between the City and County of San Francisco and PROXYdevelopment, LLC, for property located at the southeast corner of Octavia Boulevard and Hayes Street, commonly known as a portion of Assessor's Block No. 0817, Lot No. 30 (Parcel K), to extend the sublease term from three years to five years.

Resolution No. 383-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Government Audit and Oversight Committee

110766 [Administrative Code - Overtime Appropriations]

Sponsors: Campos; Farrell

Ordinance amending the San Francisco Administrative Code by adding Section 3.17 to: 1) require separate overtime items in the budget for the Airport, Emergency Management, Fire, Police, Public Health, Public Utilities, Public Works, Recreation and Park, and Sheriff; and 2) require those departments to obtain a separate supplemental appropriation to exceed those amounts.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Land Use and Economic Development Committee

110785 [Planning Code - Zoning - Establishing Standards for Bird-Safe Buildings]

Sponsors: Mar; Chiu

Ordinance amending the San Francisco Planning Code by: 1) adding Section 139 to establish standards for bird-safe buildings to help reduce injury and mortality in birds caused by certain types of new construction, replacement facades, and building features; 2) amending Section 145.1 to allow for exceptions to transparency and fenestration requirements to meet standards for bird-safe buildings; and 3) adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

Supervisor Chiu requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110786 [Planning Code - Eastern Neighborhoods Code Cleanup]

Ordinance amending various sections of the San Francisco Planning Code to: 1) improve the City's ability to implement the goals, objectives, and policies of the Eastern Neighborhoods Plan; 2) make technical corrections to the Code; 3) update land use tables in the Eastern Neighborhoods; 4) clarify language for affordable housing tiers and the use of historic buildings in the UMU District; 5) clarify permitted modifications for large project authorizations in the Eastern Neighborhoods; and 6) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan, and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110787 [Administrative Code - Eastern Neighborhoods Code Cleanup]

Ordinance amending the San Francisco Administrative Code Section 10E.2 to: 1) clarify the requirements for the Controller's assessment in order to improve the City's ability to implement the goals, objectives, and policies of the Eastern Neighborhoods Plan; and 2) making environmental findings. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110788 [Zoning Map Amendments - Eastern Neighborhoods Code Cleanup]

Ordinance amending San Francisco Zoning Map Sheets ZN01, ZN07, ZN08, and SU08 to: 1) correct technical errors made in Ordinance No. 299-08; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110814 [CEQA Findings - SFPUC Water System Improvement Program - Rehabilitation of the Existing San Joaquin Pipelines Project]

Resolution 1) adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program, related to the rehabilitation of the San Joaquin Pipelines Project, Project No. CUW37302; and 2) directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Resolution No. 384-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Land Use and Economic Development Committee Without Recommendation

110589 [Planning Code - Zoning Map - Establishing the Lombard and Scott Street Affordable Group Housing Special Use District - 3151-3155 Scott Street]

Sponsors: Chiu; Avalos, Kim, Mar, Mirkarimi and Campos

Ordinance amending the San Francisco Planning Code Section Map 2SU, and adding Section 249.55 to: 1) create the Lombard and Scott Street Affordable Group Housing Special Use District for the real property encompassing 3151-3155 Scott Street (Assessor's Block No. 0937, Lot No. 001), at the southwest corner of Scott and Lombard Streets, in order to facilitate the development of an affordable group housing project; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to October 4, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to the faculty, staff, and students of Jean Parker Elementary School in recognition of their 100th anniversary.

Supervisor Mar introduced, welcomed, and presented a Special Commendation to Clara Quezada and Lorena Melgarejo in memory of and for the loss of their son and husband, Eric Quezada, in recognition of his many accomplishments and continued community support. Supervisors Campos, Kim, Avalos, Chiu, and Mirkarimi shared in this special commendation.

COMMITTEE REPORTS

Recommendations of the Rules Committee

110971 [Assessment Ballots for City Parcels to Form the Proposed West Portal Community Benefit District]

Sponsor: Elsbernd

Resolution authorizing the Mayor tó cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of two parcels of real property, over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed property and business improvement district to be named the West Portal Community Benefit District.

Resolution No. 378-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110905 [Reappointment, Entertainment Commission - Audrey Joseph]

Motion approving the Mayor's nomination for reappointment of Audrey Joseph to the Entertainment Commission, for the term ending July 1, 2015. (Clerk of the Board)
(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 8/8/11.)

Motion No. M11-138

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Rules Committee Without Recommendation

110718 [Campaign and Governmental Conduct Code - Capping the Amount of Public Matching Funds]

Sponsors: Farrell; Elsbernd

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.144 to cap the amount of public matching funds.

Privilege of the floor was granted to Mark Morodomi (Supervising Attorney, City of Oakland), Acting Special Counsel, who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to September 27, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Land Use and Economic Development Committee Without Recommendation

110448 [Planning Code - Zoning Map - Establishing City Center Special Sign District]

Sponsor: Farrell

Ordinance amending the San Francisco Planning Code Sections 602.10, 607.1, 608, adding Section 608.16, and amending Sectional Map SSD of the Zoning Map to establish the City Center Special Sign District encompassing the real property bounded by Masonic Avenue, Geary Boulevard, Lyon Street, and O'Farrell Street (Assessor's Block No. 1094, Lot No. 001) to allow additional projecting signs, freestanding identifying and directional signs, and to modify existing controls on business wall signs; adopting findings, including environmental findings pursuant to the California Environmental Quality Act, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Female Speaker; expressed concerns relating to homelessness.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Eugene Gordon, Jr.; expressed various concerns.
Tom Gilberty; expressed concerns relating to noise pollution.
Ray Hartz; expressed concerns relating to government.
John Burrows; expressed various concerns.
Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111011 [Accept and Expend Grant - Health Care Services Master Plan Community Stakeholder Interviews - $20,000]

Sponsor: Campos

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of $20,000 from the San Francisco Foundation to fund the program entitled "Health Care Services Master Plan Community Stakeholder Interviews" for the period of September 1, 2011, through August 31, 2012, and waiving indirect costs.

Resolution No. 385-11

ADOPTED

111012 [Accept and Expend Grant - Pier 43 Promenade Bay Trail Extension - $90,000]

Sponsor: Chiu

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $90,000 from the State of California Coastal Conservancy, through the Association of Bay Area Governments Bay Trail Program, for the Pier 43 Promenade Bay Trail Project in Fisherman's Wharf.

Resolution No. 386-11

ADOPTED

111013 [Market Street Pilot Projects]

Sponsor: Chiu

Resolution urging the San Francisco Municipal Transportation Agency and other departments and agencies to implement near-term pilot projects, including increased private automobile diversions, to speed up transit along Market Street while improving the safety and comfort of people walking and biking and supporting the local commercial and cultural function of the street.

Resolution No. 391-11

ADOPTED

111014 [Accept and Expend Grant - Cargo Way Bicycle Lane Improvement Project - $70,000]

Sponsor: Cohen

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $70,000 from the State of California Coastal Conservancy, through the Association of Bay Area Governments Bay Trail Project Program, for the Cargo Way Bicycle Lane Improvement Project along Cargo Way between Third and Jennings Streets as part of the Blue Greenway project.

Resolution No. 387-11

ADOPTED

111015 [Eric F. Quezada Day - September 25, 2011]

Sponsors: Mar; Campos, Avalos, Kim, Mirkarimi and Chiu

Resolution honoring Eric F. Quezada for his extraordinary work as a leader of San Francisco's Social Justice Movement and proclaiming September 25, 2011, as "Eric F. Quezada Day" in the City and County of San Francisco.

Resolution No. 392-11

ADOPTED

111016 [Accept and Expend Grant - Smoking Cessation Buprenorphine Treated Patients - $48,000]

Sponsor: Mar

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the University of California, San Francisco in the amount of $48,000 to fund the project entitled "Smoking Cessation Intervention in Buprenorphine Treated Patients" for the period of June 1, 2011, through May 31, 2012, and waiving indirect costs.

Resolution No. 388-11

ADOPTED

111017 [Peter Berg Day - October 1, 2011]

Sponsors: Mirkarimi; Avalos

Resolution proclaiming October 1, 2011, as "Peter Berg Day" in the City and County of San Francisco for his extraordinary contribution to the understanding of environmental sustainability, urban re-vegetation, and originating the concept of bioregionalism.

Resolution No. 393-11

ADOPTED

111018 [Approval of an Additional Six (6) Months for Planning Commission Review of Zoning Map Amendment for 2301 Market Street (File No. 110224)]

Sponsor: Wiener

Resolution extending by six (6) months the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110224) that would amend the Planning Code by amending Sectional Map HT07 of the Zoning Map of the City and County of San Francisco to rezone the property located at 2301 Market Street on the corner of Market and Noe Streets from a 50-X height and bulk limit to a 65-X height and bulk limit; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 389-11

ADOPTED

111019 [Glen Park Elementary School Day - September 24, 2011]

Sponsor: Wiener

Resolution honoring the centennial of Glen Park Elementary and proclaiming September 24, 2011, to be "Glen Park Elementary School Day" in the City and County of San Francisco.

Resolution No. 394-11

ADOPTED

111020 [Accept and Expend Grant - HAART Optimism, Drug Use, and Risky Sexual Behavior - $37,856]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from Simon Fraser University in the amount of $37,856 to participate in a program entitled "Highly Active Antiretroviral Therapy Optimism, Drug Use, and Risky Sexual behavior in British Columbia" for the period of May 1, 2011, through March 31, 2012.

Resolution No. 390-11

ADOPTED

111006 [Committee of the Whole - Public Hearing to Establish the West Portal Community Benefit District]

Sponsor: Elsbernd

Motion directing the Board of Supervisors to hold a public hearing on September 27, 2011, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to Establish the West Portal Community Benefit District.

Motion No. M11-139

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111029 [Environment Code - Tenant Bicycle Parking in Existing Commercial Buildings]

Sponsors: Avalos; Kim, Mar and Campos

Ordinance amending the San Francisco Environment Code Section 400, and adding Section 402, to: 1) require the owners of existing commercial buildings to either provide secure bicycle parking in their buildings or allow their tenants to bring their bicycles into the building; 2) provide that the Ordinance's operative date is January 1, 2012; and 3) making environmental findings.
Economic Impact

09/20/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/20/2011.

111030 [Administrative Code - Health Care Security Ordinance]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, and 14.4 and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 3) require employers imposing surcharges to pay for the required expenditures to report certain information to OLSE in connection with the surcharge; 4) add an employee notification requirement; 5) modify penalty provisions; and 6) set an operative date.

09/20/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111031 [Appropriating $314,092,249 of Water System Improvement Program Project Funds - Controller Reserve of $227,779,748 - Public Utilities Commission - FY2011-2012]

Sponsor: Chu

Ordinance de-appropriating $314,092,249 in existing Water System Improvement Program (WSIP) project budgets and re-appropriating the funds to the revised WSIP program budgets adopted by the San Francisco Public Utilities Commission, and placing $227,779,748 on Controller reserve subject to completion of project-related analysis pursuant to California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, as certified by the Controller for FY2011-2012.

(Fiscal Impact)

09/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110348 [Health Code - Biological Agent Detector Registration and Fees]

Sponsor: Chiu

Ordinance amending the San Francisco Health Code by adding Article 35 to create a registration scheme, fees, and other requirements for Biological Agent Detectors.

03/22/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 4/21/2011.

07/12/11; SUBSTITUTED AND ASSIGNED to Public Safety Committee.

09/20/11; SUBSTITUTED AND ASSIGNED to Public Safety Committee.

Resolutions

111032 [Free MUNI Fast Pass for Youth]

Sponsors: Campos; Avalos, Cohen, Kim, Mar, Mirkarimi and Chiu

Resolution urging government agencies to work together to develop a free MUNI Fast Pass for San Francisco youth.

09/20/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111033 [Owner Controlled Insurance Program Amendment - Laguna Honda Hospital Replacement Program - Not to Exceed $17,323,400]

Sponsor: Elsbernd

Resolution authorizing the Director of Public Works to execute an amendment to the Owner Controlled Insurance Program for the Laguna Honda Hospital Replacement Program from $15,279,662 to $17,323,400.
(Fiscal Impact.)

09/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111034 [Tax Credit Agreement - U.S. Bancorp - SFJazz Investment of $11,104,275]

Sponsor: Kim

Resolution making findings under the California Environmental Quality Act and approving a new market tax credit indemnification agreement with U.S. Bancorp Community Development Corporation in connection with its investment of $11,104,275 for the new SFJazz Building at 205 Franklin Street.
(Fiscal Impact)

09/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111035 [Grant Application - 2011 United States Department of Housing and Urban Development Continuum of Care Programs]

Sponsor: Mayor

Resolution approving the City and County of San Francisco 2011 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111036 [Urging Governor Jerry Brown to Sign Assembly Bill 101 - Quality Family Child Care Act]

Sponsors: Avalos; Mar

Resolution urging Governor Jerry Brown to sign Assembly Bill 101, the Quality Family Child Care Act.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111037 [Accept and Expend Grant - Community Health Assessment and Community Health Improvement Plan Demonstration Site Project - $33,833]

Sponsor: Campos

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $33,833 from National Association of County and City Health Officials to participate in a program entitled "Community Health Assessment and Community Health Improvement Plan Demonstration Site Project" for the period of July 5, 2011, through July 4, 2012.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111038 [Accept and Expend Grant - Cross Bay Collaborative to Combat Human Trafficking Program - $60,000]

Sponsors: Kim; Chu and Mar

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $60,000 from Standing Against Global Exploitation to participate in a program entitled "Cross Bay Collaborative to Combat Human Trafficking" for the period of July 1, 2011, through June 30, 2012.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111039 [Approval of a Six Month Extension for Planning Commission Review of Japantown Special Use District Provisions (File No. 110768)]

Sponsor: Mirkarimi

Resolution extending by six months the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110768) that would amend the Planning Code by amending Section 249.31 to prohibit a Medical Service Use or a Business or Professional Use on the ground floor in the area zoned NC-2 in the Japantown Special Use District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111040 [Accept and Expend Grant - Central Asia Surveillance Assessment - $23,933]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from Columbia University in the amount of $23,933 to participate in a program entitled "Central Asia Surveillance Assessment" for the period of April 1, 2011, through June 30, 2011.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111041 [Accept and Expend Grant - Atlanta HQ University of California San Francisco Technical Assistance - $13,595]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the University of California San Francisco in the amount of $13,595 to participate in a program entitled "Atlanta HQ UCSF Technical Assistance to Support President's Emergency Plan for AIDS" for the period of October 1, 2011, through March 31, 2012.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111042 [Urging Congress to Provide Funding for the Land and Water Conservation Fund]

Sponsor: Wiener

Resolution urging Congress to provide funding for the Land and Water Conservation Fund.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111043 [Accept and Expend Grant - Atlanta HQ University of California San Francisco Technical Assistance - $27,189]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the University of California San Francisco in the amount of $27,189 to participate in a program entitled "Atlanta HQ UCSF Technical Assistance to Support President's Emergency Plan for AID" for the period of April 1, 2011, through March 31, 2012.

09/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

111044 [Closed Session - Anticipated Litigation - Public Financing Law]

Sponsor: Kim

Motion that the Board of Supervisors convene in closed session on September 27, 2011, to consult with Legal Counsel for the purpose of conferring with, or receiving advice from, Legal Counsel regarding anticipated litigation involving the City's public financing law (Campaign and Governmental Conduct Code Section 1.144) in light of Arizona Free Enterprise Club's Freedom PAC et al. v. Bennett, U.S. Supreme Court Case No. 10-238.

Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the anticipated litigation.

09/20/11; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests for Hearing

111045 [Hearing - School Safety Policies and Procedures]

Sponsor: Cohen

Hearing on City policies and procedures regarding school safety.

09/20/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

111046 [Hearing - School Improvement Grants Status]

Sponsor: Cohen

Hearing on the status of School Improvement Grants received by the San Francisco Unified School District.

09/20/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

110984 [Transportation Code - Residential Parking Permit Application Penalties]

Ordinance amending the San Francisco Transportation Code, Article 7, Division I, Section 7.2.50, and adding Section 7.3.11, to authorize administrative and misdemeanor penalties for submitting false, misleading, or fraudulent information on a residential parking permit application. (Municipal Transportation Agency)

09/12/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/20/2011.

PROPOSED RESOLUTIONS

110983 [Employment Policies and Procedures Regarding Criminal History]

Resolution authorizing the City and County of San Francisco to access state and federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation. (Human Resources Department)

09/12/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110985 [Real Property Lease Amendment - Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn - 160 South Van Ness Avenue]

Resolution authorizing the amendment of an existing lease at 160 South Van Ness Avenue, with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn as Tenants in Common, for the Human Services Agency to provide a construction allowance and extend the lease term. (Real Estate Department)
(Fiscal Impact)

09/12/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation to require the creation of a towing notification system for San Francisco and the release of live data streams on temporary and permanent tow-away restrictions.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Southeast corner of Parnassus and Stanyan
Southeast corner of Waller and Stanyan
Southwest corner of 3rd Avenue and Hugo
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southwest corner of Judah and 9th Avenue
Southeast corner of Judah and 9th Avenue
Southeast corner of Parnassus and Stanyan
Southeast corner of Broderick and Oak
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
Southeast corner of Parnassus and Cole

San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southwest corner of 9th Avenue and Judah
Southeast corner of Broderick and Oak

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Southeast corner of Haight and Shrader
Northeast corner of Haight and Cole
Southeast corner of 19th Avenue and Lincoln

Advertiser
533 Parnassus
Northwest corner of Funston and Irving

Common Ground
Southeast corner of Parnassus and Stanyan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Northwest corner Haight and Webster
Northwest corner Eddy and Gough
Northeast corner Hayes and Fillmore
Northwest corner Fulton and Fillmore
Opposite 85 Carl
1254 7th Avenue
1392 6th Avenue
Northeast corner of 3rd Avenue and Hugo
Approximately 590 Hugo
Approximately 470 Hugo
327 Hugo
Approximately 180 Hugo
788 Clayton
710 Clayton
1284 18th Avenue
Southeast corner of 16th Avenue and Lincoln
Approximately 770 Stanyan
Approximately 720 Stanyan
1979 Oak

Wood Poles
Southwest corner Page and Webster
In front of 450 Fillmore
Southwest corner of Scott and Page
Southeast corner of Haight and Shrader
Northeast corner of Carl and Cole
1069 Oak
1222 18th Avenue
Approximately 1290 Funston

Concrete Poles
1380 9th Avenue
Southeast corner of Oak and Shrader

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings
709 Webster
725 Webster
843 Divisadero
501 Fulton
875 Fulton
Approximately 725 Lincoln
Approximately 1270 Irving
1152 Irving, on west side
800 Irving
Opposite 30 Irving
916 Stanyan

670 Stanyan
672 Stanyan
1951 Oak
1949 Oak
1939 Oak
1815 Oak
1809 Oak
1419 Oak
1351 Oak
1321 Oak
1726 Haight Street
1611 Oak
100 Cole, on north side
Southeast corner of Haight and Clayton
401 Clayton, on north side
1069 Oak
1130 Oak
1368 9th Avenue

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Southwest corner Eddy and Gough
Southeast corner Fell and Fillmore
Northeast corner Hayes and Fillmore
Northeast corner Grove and Webster
Southwest corner Fillmore and Oak
Approximately 1330 7th Avenue
Southeast corner of 19th Avenue and Lincoln
600 Stanyan
Southwest corner Haight and Buchanan

Mailboxes
Northwest corner of 3rd Avenue and Hugo
Northeast corner of Carl and Cole
Southeast corner of 9th Avenue and Judah
550 Irving
Southeast corner of Frederick and Stanyan
Southeast corner Oak and Fillmore

Fire Hydrants
Southeast corner of Lyon and Oak
Southeast corner of Pierce and Haight
Northwest corner of Judah and 7th Avenue
1153 Oak
Northeast corner Fell and Fillmore

Public Wall
Southeast corner of 19th Avenue and Lincoln

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Southeast corner of Frederick and Clayton
Southwest corner of Lincoln and 14th Avenue
Northeast corner of Lyon and Oak
Southeast corner of 5th Avenue and Lincoln
Southeast corner Eddy and Webster
Northwest corner Fillmore and Hermann
Southeast corner Golden Gate and Scott

Bus Shelters
Northwest corner of 7th Avenue and Judah
Southeast corner of 19th Avenue and Lincoln
Southeast corner of 5th Avenue and Lincoln
Southwest corner of Parnassus and Stanyan
600 Stanyan
Southwest corner Haight and Buchanan
Southwest corner Haight and Pierce
Southwest comer Haight and Divisadero
Southeast corner Hayes and Masonic

Emergency Boxes
Southeast corner of Scott and Oak
Southwest corner of Judah and 9th Avenue
Southwest corner of Lyon and Oak
Southwest corner Fillmore and Waller
Southeast corner Haight and Steiner

In Memoriams

Arthur Evans - Supervisor Mirkarimi
Sean Wilson - Supervisor Mirkarimi
William Kelleher - Supervisor Elsbernd
Anthony George Cherolis - Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:48 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 25, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

FEB 23 2012

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 27, 2011 - 2:00 PM

Hearing Room 416
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 35

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

110766 [Administrative Code - Overtime Appropriations]

Sponsors: Campos; Farrell

Ordinance amending the San Francisco Administrative Code by adding Section 3.17 to: 1) require separate overtime items in the budget for the Airport, Emergency Management, Fire, Police, Public Health, Public Utilities, Public Works, Recreation and Park, and Sheriff; and 2) require those departments to obtain a separate supplemental appropriation to exceed those amounts.

Ordinance No. 194-11

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

110785 [Planning Code - Zoning - Establishing Standards for Bird-Safe Buildings]

Sponsors: Mar; Chiu

Ordinance amending the San Francisco Planning Code by: 1) adding Section 139 to establish standards for bird-safe buildings to help reduce injury and mortality in birds caused by certain types of new construction, replacement facades, and building features; 2) amending Section 145.1 to allow for exceptions to transparency and fenestration requirements to meet standards for bird-safe buildings; and 3) adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

Ordinance No. 199-11

FINALLY PASSED

110786 [Planning Code - Eastern Neighborhoods Code Cleanup]

Ordinance amending various sections of the San Francisco Planning Code to: 1) improve the City's ability to implement the goals, objectives, and policies of the Eastern Neighborhoods Plan; 2) make technical corrections to the Code; 3) update land use tables in the Eastern Neighborhoods; 4) clarify language for affordable housing tiers and the use of historic buildings in the UMU District; 5) clarify permitted modifications for large project authorizations in the Eastern Neighborhoods; and 6) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan, and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

Ordinance No. 196-11

FINALLY PASSED

110787 [Administrative Code - Eastern Neighborhoods Code Cleanup]

Ordinance amending the San Francisco Administrative Code Section 10E.2 to: 1) clarify the requirements for the Controller's assessment in order to improve the City's ability to implement the goals, objectives, and policies of the Eastern Neighborhoods Plan; and 2) making environmental findings. (Planning Commission)

Ordinance No. 197-11

FINALLY PASSED

110788 [Zoning Map Amendments - Eastern Neighborhoods Code Cleanup]

Ordinance amending San Francisco Zoning Map Sheets ZN01, ZN07, ZN08, and SU08 to: 1) correct technical errors made in Ordinance No. 299-08; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

Ordinance No. 198-11

FINALLY PASSED

110568 [Street Artist Spaces - Post Street, Northwest Corner, at Stockton Street]

Resolution approving designation for six months of two temporary selling spaces on Post Street, northwest corner, at Stockton Street, for street artists certified by the Arts Commission. (Arts Commission)

Resolution No. 406-11

ADOPTED

Recommendations of the Public Safety Committee

110909 [Accept and Expend Grant - FY2007 Supplemental Port Security Grant Program - Marine-Based Equipment Enhancements - $230,000]

Sponsor: Chiu

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of $230,000 from the Federal Emergency Management Agency for FY2007 Supplemental Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay.

Resolution No. 407-11

ADOPTED

110910 [Accept and Expend Grant - FY2008 Port Security Grant Program - Type 2 Fire Boat - $7,870,484]

Sponsor: Chiu

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of $7,870,484 from the Federal Emergency Management Agency for the FY2008 Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay.

Resolution No. 408-11

ADOPTED

110911 [Accept and Expend Grant - FY2010 Port Security Grant Program - Rapid Response Vessel and Regional Marine Training - $645,125]

Sponsor: Chiu

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of $645,125 from the Federal Emergency Management Agency for FY2010 Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay.

Resolution No. 409-11

ADOPTED

110912 [Accept and Expend Grant - FEMA Assistance to Fire Fighters - Heavy-Duty Washer Extractors - $107,296]

Sponsor: Chiu

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of $107,296 from the Federal Emergency Management Agency for the purchase and installation of seven commercial washer extractors to clean personal protective equipment.

Resolution No. 410-11

ADOPTED

110918 [Revolving Fund Agreement - Burial or Emergency Relocation of Crime Victims - $75,000]

Sponsor: Mirkarimi

Resolution authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving fund in the amount of $75,000 to be used to pay for verified funeral/burial expenses for eligible homicide victims and emergency relocation for victims of domestic violence and sexual assault for the period of July 1, 2011, through June 30, 2014.

Resolution No. 411-11

ADOPTED

110919 [Accept and Expend Grant - Compensation for Crime Victims - Up to $714,138]

Sponsor: Mirkarimi

Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to $714,138 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement for the period of July 1, 2011, through June 30, 2012.

Resolution No. 412-11

ADOPTED

Recommendations of the Rules Committee

110139 [Settlement of Lawsuit - Loren Miller Homes - $317,500]

Ordinance authorizing settlement of the lawsuit filed by Loren Miller Homes, a California corporation, against the City and County of San Francisco for $317,500; the lawsuit was filed on July 22, 2010, in San Francisco Superior Court, Case No. CGC-10-501831; entitled Loren Miller Homes v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

110692 [Settlement of Lawsuit - West Bay Builders, Inc. - City to Retain $900,000]

Ordinance authorizing settlement of the lawsuit entitled West Bay Builders, Inc. v. City and County of San Francisco, San Francisco Superior Court Case No. CGC-10-503366, arising from a breach of contract dispute regarding Contract No. 6159A for construction of a new Recreation and Park Department (RPD) facility known as the Minnie and Lovie Ward Recreation Center and Ocean View Park, for which West Bay Builders, Inc., served as the prime contractor, calling for the RPD to retain $900,000 from the contract balance and including other material terms of said settlement. (City Attorney)

PASSED, ON FIRST READING

110954 [Settlement of Lawsuit - Julio Calero - $75,000]

Ordinance authorizing settlement of the lawsuits filed by Julio Calero against the City and County of San Francisco for $75,000; the lawsuits were filed on September 18, 2009, and March 19, 2010, in San Francisco Superior Court, Case Nos. CGC-08-479969 and CGC-10-497921; entitled Julio Calero, et al. v. City and County of San Francisco, et al. and Julio Calero, et al. v. Colin Construction Company, et al. (City Attorney)

PASSED, ON FIRST READING

110956 [Settlement of Claim - Ernst & Young, LLP - $158,646.36]

Resolution approving the settlement of the unlitigated claim filed by Ernst & Young, LLP, against the City and County of San Francisco for refund of payroll taxes for the 2009 tax year in the amount of $158,646.36; claim was filed on February 25, 2011. (City Attorney)

Resolution No. 413-11

ADOPTED

110970 [Annual Reports - Central Market Community Benefit District]

Sponsor: Kim

Resolution regarding Central Market Community Benefit District annual reports to the City by receiving and approving the District's Annual Reports for calendar years 2007, 2008, 2009, and 2010, as submitted, pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

Resolution No. 414-11

ADOPTED

110877 [Appointments, Bicycle Advisory Committee - Richard Tilles, Bert Hill, Rachel Ebora, and Casey Allen]

Motion appointing Richard Tilles, Bert Hill, Rachel Ebora, and Casey Allen, terms ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Richard Tilles, seat 2, succeeding himself, term expired, must be a nominee of District 2 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Bert Hill, seat 7, succeeding himself, term expired, must be a nominee of District 7 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Rachel Ebora, seat 9, succeeding herself, term expired, must be a nominee of District 9 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Casey Allen, seat 11, succeeding himself, term expired, must be a nominee of District 11 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Motion No. M11-140

APPROVED

110963 [Appointments, Reentry Council - Gerald Miller, Kimberli Courtney, Viet Mike Ngo, and Ronnie Muniz]

Motion appointing Gerald Miller, Kimberli Courtney, Viet Mike Ngo, and Ronnie Muniz, terms ending July 17, 2013, to the Reentry Council. (Clerk of the Board)
Gerald Miller, seat 1, succeeding Ronald Sanders, term expired, for the unexpired portion of a two-year term ending July 17, 2013. Member must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prison facility.
Kimberli Courtney, seat 2, succeeding Mary Campbell, term expired, for the unexpired portion of a two-year term ending July 17, 2013. Member must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prison facility. The member shall also have expertise in providing services to individuals exiting the criminal justice system.
Viet Mike Ngo, seat 3, succeeding Gerald Miller, term expired, for the unexpired portion of a two-year term ending July 17, 2013. Member must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prison facility. The member must also have been released from custody within two years of his or her appointment.
Ronnie Muniz, seat 4, succeeding ShaMauda Bishop, term expired, for the unexpired portion of a two-year term ending July 17, 2013. Member must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prison facility. The member must also have served multiple terms of incarceration.

Motion No. M11-141

APPROVED

110992 [Appointment, Veteran Affairs Commission - Deborah Dacumos]

Motion appointing Deborah Dacumos, term ending January 31, 2014, to the Veteran Affairs Commission. (Clerk of the Board)
Deborah Dacumos, seat 5, succeeding Jill Buck, term expired, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2014.

Motion No. M11-142

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the Consent Agenda

Supervisor Chiu requested that File No. 110720 be severed so that it may be considered separately.

Recommendation of the Budget and Finance Committee

110720 [Administrative Code - Gift Funds]

Sponsors: Mayor; Chiu and Chu

Ordinance amending the San Francisco Administrative Code to: 1) create a Recreation and Parks Gift Fund; 2) update the Mayor's Earthquake Emergency Relief Fund to broaden its purpose as a general disaster recovery fund; and 3) amend the Mayor's Fund for the homeless to change the administering agency.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED on Page 1, Line 12, replacing 'XXX' with '257'; and Line 14, by replacing 'XXX' with '257'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Ordinance amending the San Francisco Administrative Code Sections 10.100-100 and 10.100-106, and adding Section 10.100-257 to: 1) create a Recreation and Parks Gift Fund; 2) update the Mayor's Earthquake Emergency Relief Fund to broaden its purpose as a general disaster recovery fund; and 3) amend the Mayor's Fund for the homeless to change the administering agency.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Kim requested that File No. 111004 be severed so that it may be considered separately.

Recommendation of the Land Use and Economic Development Committee

111004 [Jurisdictional Transfer of City Property - 17th Street and Folsom Street]

Sponsors: Kim; Avalos, Mirkarimi, Campos and Wiener

Resolution 1) approving the jurisdictional transfer of portions of Assessor's Block No. 3571, Lot No. 018, of the City and County of San Francisco, all currently under the jurisdiction of the San Francisco Public Utilities Commission, partially to the Mayor's Office of Housing as to 29,075 square feet, and partially to the Recreation and Park Department as to 31,578 square feet; 2) approving the transfer price of $4,000,000 from the Mayor's Office of Housing to San Francisco Public Utilities Commission and of $2,271,850 from the Recreation and Park Department to San Francisco Public Utilities Commission; 3) adopting findings, including environmental findings, General Plan findings, and Planning Code Section 101.1 findings; and (4) authorizing other actions in furtherance of this Resolution.

Supervisors Avalos, Mirkarimi, Campos, and Wiener requested to be added as co-sponsors.

Resolution No. 395-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Land Use and Economic Development Committee Without Recommendation

110448 [Planning Code - Zoning Map - Establishing City Center Special Sign District]
Sponsor: Farrell
Ordinance amending the San Francisco Planning Code Sections 602.10, 607.1, 608, adding Section 608.16, and amending Sectional Map SSD of the Zoning Map to establish the City Center Special Sign District encompassing the real property bounded by Masonic Avenue, Geary Boulevard, Lyon Street, and O'Farrell Street (Assessor's Block No. 1094, Lot No. 001) to allow additional projecting signs, freestanding identifying and directional signs, and to modify existing controls on business wall signs; adopting findings, including environmental findings pursuant to the California Environmental Quality Act, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 195-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendation of the Budget and Finance Committee

110900 [Administrative Code - Film Fees and Rebate Program]
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code Sections 57.5 and 57.8 to: 1) decrease filming fees for smaller-budget productions; 2) include documentary films, docudrama films, and "reality" programming among eligible productions for the Film Rebate Program; 3) exempt productions by nonprofit entities, public service announcements, and qualifying student productions from film fees; and 4) make environmental findings.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee

110854 [Environment Code - Green Building Requirements for City Buildings]

Sponsors: Mayor; Mar

Ordinance amending the San Francisco Environment Code, Chapter 7, Sections 700 through 713, to update the green building requirements for the design, construction, and operation of City buildings.

Supervisor Mar, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED on Page 16, Line 23, by replacing 'September' with 'November'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Ordinance amending the San Francisco Environment Code, Chapter 7, Sections 700 through 713 to update the green building requirements for the design, construction, and operation of City buildings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Public Safety Committee

110846 [Administrative Code - Postrelease Community Supervision Program]

Sponsors: Mirkarimi; Cohen

Ordinance amending the San Francisco Administrative Code by adding Article XXII, Sections 2A.300 and 2A.301, Chapter 2A to: 1) designate the Adult Probation Department as the county agency responsible for providing postrelease community supervision to eligible inmates released from state prison, as required under California Penal Code section 3451; and 2) authorize the Adult Probation Department to develop a Home Detention and Electronic Monitoring Program that can be used as a supervision tool and sanction for persons who violate conditions of their Postrelease Community Supervision Program.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110901 [Police Code - Safe Storage and Enhanced-Lethality Ammunition Findings]

Sponsors: Mirkarimi; Campos, Cohen and Chiu

Ordinance amending the San Francisco Police Code by adding Sections 4511 and 613.9.5 to add findings to ordinances: 1) requiring a handgun to be kept in a locked container or disabled with a trigger lock; and 2) prohibiting the sale of enhanced-lethality ammunition.

Supervisor Chiu requested to be added as a co-sponsor.

Privilege of the floor was granted to Sherri Kaiser (City Attorney's Office) who provided an overivew and responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Rules Committee Without Recommendation

110955 [Settlement of Lawsuits - Mitchell Engineering; Authorization of Bonds and Appropriation of Funds - Not to Exceed $15,750,000]

Ordinance: 1) authorizing settlement of all claims arising out of nine lawsuits involving Mitchell Engineering and the City and County of San Francisco; 2) declaring the intent of the San Francisco Public Utilities Commission to reimburse certain expenditures for settlement costs from proceeds of future bonded indebtedness for purposes of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended; 3) authorizing the issuance of Settlement Bonds in connection therewith, as well as the associated financing cost to issue; 4) appropriating $15,750,000, including insurance proceeds in the total amount of $750,000, project construction funds in the total amount of $920,207, and proceeds of Settlement Bonds in the amount of $14,079,793; and 5) authorizing the use of substitute fund balance as a source in lieu of Settlement Bonds if available. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

111007 [Public Hearing - Resolution to Establish the West Portal Community Benefit District]

Sponsor: Elsbernd

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "West Portal Community Benefit District," ordering the levy and collection of assessments against property located in that district for 13 years commencing with FY2011-2012, with services, activities, and improvements to be provided for 13 calendar years commencing January 1, 2012, subject to conditions as specified, and making environmental findings.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 111008. Matt Rogers; Mario Magennon; James Robinson; Gail Ferris; Bob Presley; Auburn Shepherd; Steve Ballister; Walter Paulson; spoke in support of the assessment district. Mark Pasquine; Male Speaker; L.A. Wagner; spoke in opposition to the assessment district. Lisa Pagan (Mayor's Office of the Economic and Workforce Development) responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

111008 [Resolution to Establish the West Portal Community Benefit District]
Sponsor: Elsbernd

Resolution establishing a property-based business improvement district to be known as the "West Portal Community Benefit District," ordering the levy and collection of assessments against property located in that district for 13 years commencing with FY2011-2012, with services, activities, and improvements to be provided for 13 calendar years commencing January 1, 2012, subject to conditions as specified, and making environmental findings.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the West Portal Community Benefit District was 48.92%, and the returned weighted ballots voting against the West Portal Community Benefit District was 51.08%, further indicating there was a majority protest.

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Avalos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Scott Heldfond of the Health Service System Board in recognition of his accomplishments during his tenure as a Board Member. Supervisor Elsbernd and Catherine Dodd, Director of Health Service System, shared in this recognition.

Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Terry McDevitt of the Recreation and Park Department in recognition of his 40 years of service upon his retirement.

Supervisor Avalos introduced, welcomed, and presented Certificates of Honor to District 11 artists and organizers in recognition of their accomplishments in beautifying the Excelsior, creating the Excelsior Mural Tour, and for their continued community support.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Karen Bishop of the San Francisco Unified School District in recognition of her 43 years of service upon her retirement and continued community support. Supervisors Kim and Campos shared in this recognition.

SPECIAL ORDER 4:00 P.M.

110950 [Conditional Use Appeal - 4141 Geary Boulevard/450 - 6th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 28, 2011, Conditional Use Authorization identified as Planning Case No. 2010.0951C, by its Motion No. 18415, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of nine panel antennas and related equipment on an existing mechanical penthouse on the roof of a five-story publicly used structure (Kaiser Hospital) as part of Verizon's wireless telecommunications network within the RM-1 (Mixed, Low Density) and NC-3 (Neighborhood Commercial, Moderate Scale) Zoning Districts, and a 80-E Height and Bulk District, on property located at 4141 Geary Boulevard/450 - 6th Avenue, Assessor's Block No. 1539, Lot No. 003. (District 1) (Filed by Sandra Fen Ng on behalf of the San Francisco Tomorrow and subscribed by Supervisors Mar, Avalos, Chiu, Kim, and Mirkarimi.)
(Filed August 29, 2011; Companion Measure to File Nos. 110951, 110952, and 11953.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED to October 25, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to October 25, 2011, at 4:00 p.m.

110951 [Approving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion approving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED to October 25, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110952 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED to October 25, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110953 [Preparation of Findings Related to the Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue.

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED to October 25, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to privatization and the SF Public Library.
Tom Gilberty; expressed concerns relating to noise pollution.
Jake Crawford; expressed concerns relating to housing in Fillmore.
Male Speaker; expressed concerns relating to Parkmerced and the SOTF determination.
Female Speaker; expressed various concerns.
Edmond Juicye; expressed various concerns.
Male Speaker; expressed various concerns.
John Burrows; expressed various concerns.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation as Defendant

111044 [Closed Session - Anticipated Litigation - Public Financing Law]

Sponsor: Kim

Motion that the Board of Supervisors convene in closed session on September 27, 2011, to consult with Legal Counsel for the purpose of conferring with, or receiving advice from, Legal Counsel regarding anticipated litigation involving the City's public financing law (Campaign and Governmental Conduct Code Section 1.144) in light of Arizona Free Enterprise Club's Freedom PAC et al. v. Bennett, U.S. Supreme Court Case No. 10-238.

Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.

Motion No. M11-143

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 4:20 p.m. to convene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Persons in attendance:
Mark Morodomi (Supervising Attorney, City of Oakland), Acting Special Counsel
John St. Croix, Director of the Ethics Commission
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy Director

Matter was heard in Closed Session and Filed.

RECONVENING OF THE BOARD

The Board at the hour of 5:30 p.m. reconvened.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Farrell, seconded by Supervisor Campos, moved not disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Rules Committee Without Recommendation

Supervisor Mirkarimi was noted absent at 5:35 p.m. for the remainder of the meeting.

110718 [Campaign and Governmental Conduct Code - Capping the Amount of Public Matching Funds]

Sponsors: Farrell; Elsbernd

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.144 to cap the amount of public matching funds.

Privilege of the floor was granted to Mark Morodomi (Supervising Attorney, City of Oakland), Acting Special Counsel, and John St. Croix, Director of the Ethics Commission, who responded to questions raised throughout the discussion.

NOT PASSED ON FIRST READING by the following vote:
Ayes: 7 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 3 - Avalos, Kim, Mar
Absent: 1 - Mirkarimi

Supervisor Elsbernd, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to October 4, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111035 [Grant Application - 2011 United States Department of Housing and Urban Development Continuum of Care Programs]

Sponsor: Mayor

Resolution approving the City and County of San Francisco 2011 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

Resolution No. 396-11

ADOPTED

111036 [Urging Governor Jerry Brown to Sign Assembly Bill 101 - Quality Family Child Care Act]

Sponsors: Avalos; Mar

Resolution urging Governor Jerry Brown to sign Assembly Bill 101, the Quality Family Child Care Act.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 397-11

ADOPTED

111037 [Accept and Expend Grant - Community Health Assessment and Community Health Improvement Plan Demonstration Site Project - $33,833]

Sponsor: Campos

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $33,833 from National Association of County and City Health Officials to participate in a program entitled "Community Health Assessment and Community Health Improvement Plan Demonstration Site Project" for the period of July 5, 2011, through July 4, 2012.

Resolution No. 398-11

ADOPTED

111038 [Accept and Expend Grant - Cross Bay Collaborative to Combat Human Trafficking Program - $60,000]

Sponsors: Kim; Chu and Mar

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $60,000 from Standing Against Global Exploitation to participate in a program entitled "Cross Bay Collaborative to Combat Human Trafficking" for the period of July 1, 2011, through June 30, 2012.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 399-11

ADOPTED

111039 [Approval of a Six Month Extension for Planning Commission Review of Japantown Special Use District Provisions (File No. 110768)]

Sponsor: Mirkarimi

Resolution extending by six months the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110768) that would amend the Planning Code by amending Section 249.31 to prohibit a Medical Service Use or a Business or Professional Use on the ground floor in the area zoned NC-2 in the Japantown Special Use District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 400-11

ADOPTED

111040 [Accept and Expend Grant - Central Asia Surveillance Assessment - $23,933]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from Columbia University in the amount of $23,933 to participate in a program entitled "Central Asia Surveillance Assessment" for the period of April 1, 2011, through June 30, 2011.

Resolution No. 401-11

ADOPTED

111041 [Accept and Expend Grant - Atlanta HQ University of California San Francisco Technical Assistance - $13,595]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the University of California San Francisco in the amount of $13,595 to participate in a program entitled "Atlanta HQ UCSF Technical Assistance to Support President's Emergency Plan for AIDS" for the period of October 1, 2011, through March 31, 2012.

Resolution No. 402-11

ADOPTED

111042 [Urging Congress to Provide Funding for the Land and Water Conservation Fund]

Sponsor: Wiener

Resolution urging Congress to provide funding for the Land and Water Conservation Fund.

Resolution No. 403-11

ADOPTED

111043 [Accept and Expend Grant - Atlanta HQ University of California San Francisco Technical Assistance - $27,189]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the University of California San Francisco in the amount of $27,189 to participate in a program entitled "Atlanta HQ UCSF Technical Assistance to Support President's Emergency Plan for AID" for the period of April 1, 2011, through March 31, 2012.

Resolution No. 404-11

ADOPTED

111026 [Final Map 5625 - 333 Greenwich Street]

Motion approving Final Map 5625, a Five Unit Residential Condominium Project, located at 333 Greenwich Street being a subdivision of Assessor's Block No. 0086, Lot No. 010; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Motion No. M11-144

APPROVED

111027 [Final Map 6395 - 2829 California Street and 1933 Divisadero Street]

Motion approving Final Map 6395, a 13 Residential Unit and Three Commercial Unit Mixed-Use Condominium Project, located at 2829 California Street and 1933 Divisadero Street being a subdivision of Assessor's Block No. 1028, Lot Nos. 003 and 028; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-145

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Avalos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Avalos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

111055 [Karen Bishop Day - September 27, 2011]

Sponsors: Mar; Kim

Resolution declaring September 27, 2011, to be Karen Bishop Day in the City and County of San Francisco.

Resolution No. 405-11

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111047 [Administrative, Planning, and Campaign and Governmental Conduct Codes - Disability Access Improvements for Small Businesses and Landlord Obligations]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by adding Chapter 38, Sections 38.1 through 38.6; amending the San Francisco Planning Code Sections 790.90, 790.91, and 790.102; amending the San Francisco Campaign and Governmental Conduct Code Section 3.400; requiring commercial landlords leasing to small businesses for public accommodations to: 1) bring ground floor entrances to, and exits from, the building into compliance with applicable state and federal disability access laws; 2) inform small business tenants of the potential legal and financial liabilities for failure to comply with those laws; 3) include in any new or amended leases a provision addressing the respective obligations of the landlord and small business tenant to bring the leased premises into compliance with those access laws; 4) require the City to give priority to building permit applications for work to bring space leased to small business tenants into compliance with those access laws; 5) allow small self-service restaurants and retail coffee stores to exclude the square footage of floor area required for disabled access from the calculation of maximum allowable square footage for such uses under applicable zoning restrictions; and 6) adopt environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

09/27/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/27/2011.

111048 [Appropriating $1,000,000 of Mirant Potrero, LLC, Settlement Funds to the Department of Public Health for Neighborhood Improvement and Mitigation in FY2011-2012]

Sponsor: Cohen

Ordinance appropriating $1,000,000 of Mirant Potrero, LLC, settlement funds to the Department of Public Health for neighborhood improvement and mitigation in the neighborhoods most impacted by the Potrero Power Plant in FY2011-2012.
(Fiscal Impact)

09/27/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111049 [Planning Code - Prohibit the Use of Customer Operated Checkout-Systems - Off-Site Alcohol Sales]
Sponsors: Mar; Avalos and Chiu
Ordinance amending the San Francisco Planning Code Sections 703.2 and 790.55 to: 1) prohibit the use of Customer Operated Check-Out Systems, as defined, in retail stores where alcoholic beverages are sold for off-site consumption; and 2) making findings, including environmental findings and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

09/27/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/27/2011.

111050 [Administrative Code - San Francisco Sentencing Commission and Recidivism Reduction Ordinance of 2011]
Sponsors: Wiener; Farrell and Cohen
Ordinance amending the San Francisco Administrative Code by adding Article XXV, Sections 5.250 through 5.250-4 to: 1) establish the San Francisco Sentencing Commission; 2) set forth the Commission's purpose, powers and duties; and 3) establish membership criteria.

09/27/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/27/2011.

111051 [Accept and Expend Grant - Electric Vehicle Charging Station Program and Amendment to the Annual Salary Ordinance for FY2011-2012 - $100,000]
Sponsor: Mayor
Ordinance authorizing the Department of the Environment to accept and expend funds in the amount of $100,000 from Coulomb Technologies, Inc., to provide administrative and outreach services for a program to install electric vehicle charging stations in multiple-dwelling units and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant funded position at the Department of the Environment.

09/27/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

110796 [Board Response to the 2010-2011 Civil Grand Jury Report entitled "Hunters Point Shipyard: A Shifting Landscape"]
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Hunters Point Shipyard: A Shifting Landscape" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

06/23/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110816 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Log Cabin Ranch Moving Towards Positive Horizons"]
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Log Cabin Ranch Moving Towards Positive Horizons" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

07/05/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111052 [Gift Acceptance - Market Street Improvements - $200,000]

Sponsor: Chiu

Resolution accepting a gift of $200,000 from 949 Market Street Associates, LLC, to the San Francisco Municipal Transportation Agency to fund the planning and construction of various transit, pedestrian, and bicycle safety improvements on Market Street between 5th and 6th Streets and on 5th Street between Market and Mission Streets.

09/27/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111053 [Memorandum of Understanding - Regional Agreement - Federal Homeland Security Grant Funds]

Sponsors: Mayor; Chiu, Farrell and Mirkarimi

Resolution approving a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San Mateo, Santa Clara, and Sonoma that: 1) provides governance structures and procedures for application, allocation, and distribution of federal Urban Areas Security Initiative (UASI) grant funds to the Bay Area Urban Area, as well as for other federal grant funds to the Bay Area Urban Area as permitted under the MOU; and 2) continues San Francisco as the primary grantee and fiscal agent for UASI grant funds to the Bay Area Urban Area, as well as for other federal grant funds to the Bay Area Urban Area as permitted under the MOU.

09/27/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111055 [Karen Bishop Day - September 27, 2011]

Sponsors: Mar; Kim

Resolution declaring September 27, 2011, to be Karen Bishop Day in the City and County of San Francisco.

09/27/11; ASSIGNED to Board of Supervisors.

09/27/11; ADOPTED.

111061 [Urging Governor Jerry Brown to Support Assembly Bill 438 - Protect Public Libraries from for-Profit Corporation Takeovers]

Sponsor: Avalos

Resolution urging Governor Jerry Brown to support and implement Assembly Bill 438 that protects public libraries from for profit corporate takeovers.

09/27/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111062 [Mission Hiring Hall Day - October 13, 2011]

Sponsors: Avalos; Mar

Resolution declaring October 13, 2011, as Mission Hiring Hall Day in the City and County of San Francisco to commemorate the 40th Anniversary and to acknowledge its contributions to community based employment services and honoring Mission Hiring Halls commitment to the creation, preservation, and advocacy of economic justice for our San Francisco workers and communities.

09/27/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111063 [Supporting the Central Subway Project and Replacement Housing Obligation]

Sponsors: Chiu; Kim, Cohen, Mar, Wiener, Elsbernd, Mirkarimi, Chu, Avalos, Campos and Farrell

Resolution supporting the Central Subway Project, replacement of all demolished rent controlled units, and that which provides relocation packages to all displaced tenants.

09/27/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111064 [Walk to School Day - October 5, 2011]

Sponsor: Kim

Resolution declaring October 5, 2011, as Walk to School Day in the City and County of San Francisco to promote the safety and health of San Francisco children.

09/27/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111065 [Extending the Life of the Western SoMa Citizens Planning Task Force]

Sponsor: Kim

Resolution extending the life of the Western SoMa Citizens Planning Task Force.

09/27/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111066 [George Washington High School Day - October 15, 2011]

Sponsor: Mar

Resolution celebrating the Diamond Jubilee of George Washington High School and proclaiming October 15, 2011, as George Washington High School Day in the City and County of San Francisco.

09/27/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110795 [2010-2011 Civil Grand Jury Report - Hunters Point Shipyard]

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Hunters Point Shipyard: A Shifting Landscape." (Clerk of the Board)

06/23/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110815 [2010-2011 Civil Grand Jury Report - Log Cabin Ranch]

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Log Cabin Ranch Moving Towards Positive Horizons." (Clerk of the Board)

07/05/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111056 [Hearing - Municipal Banking System]

Sponsor: Avalos

Hearing on the Budget Analyst Report on San Francisco's banking system and options for leveraging San Francisco taxpayer dollars and City revenues in financial institutions that can stimulate our local economy.

09/27/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111057 [Hearing - Citizen's General Obligation Bond Oversight Committee 2010 Annual Report]

Sponsor: Campos

Hearing on the Citizen's General Obligation Bond Oversight Committee 2010 Annual Report.

09/27/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111058 [Hearing - Budget and Legislative Analysts' Performance Audit]

Sponsor: Campos

Hearing on the Budget and Legislative Analysts' performance audit of San Francisco's Lead Worker, Standby, Acting Assignment, and Supervisory Different Pay Practices.

09/27/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111059 [Hearing - California Pacific Medical Center's Cathedral Hill Project Negotiation Progress]

Sponsor: Mar

Hearing on the progress of negotiations between the City and County of San Francisco and the California Pacific Medical Center's Cathedral Hill Project.

09/27/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111060 [Hearing - Seniors and the Disabled Living in Single Room Occupancy (SRO) Hotels]

Sponsors: Mar; Kim and Campos

Hearing on the issues affecting the seniors and the disabled living in SRO hotels.

09/27/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

110993 [Police Code - Commercial Parking Permits]

Ordinance amending the San Francisco Police Code Section 1215.2 to modify the requirements for the Chief of Police to refer applications for Commercial Parking Permits to the Municipal Transportation Agency for review of traffic impacts. (Municipal Transportation Agency)

09/19/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 10/27/2011.

110994 [Transportation Code - Clipper Card Regulations]

Ordinance amending the San Francisco Transportation Code, Article 7, Division I, by adding Section 7.2.104 to regulate the use of Clipper Cards on transit vehicles or in Proof of Payment Zones. (Municipal Transportation Agency)

09/19/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/27/2011.

110995 [Mission Bay South Blocks 41-43, Phase 2 - Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 41-43, Phase 2, including acquisition facilities on Owens Street and within public utility easements in private streets; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating Owens Street and improvements for street and roadway purposes; establishing street grades and sidewalk widths on Owens Street; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/19/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110996 [Mission Bay Park Block P16 - Improvements]

Ordinance dedicating City property and portions of State Trust Parcels 4 and 5, known as Mission Bay Park Block P16, lying along Third Street, Mission Bay Boulevard North, and Mission Bay Boulevard South for public use and naming the new park "Mission Bay Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/19/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
1825 Post
Northeast corner of Broderick and Geary
2435 California
Northwest corner of Fulton and Divisadero
Northeast corner of Post and Divisadero
Northeast corner of Geary and Divisadero
1750 Fulton
Northwest corner of Fulton and Baker

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Fulton and Divisadero
1750 Fulton
Southeast corner of Masonic and Hayes
Southwest corner of Broderick and Oak
Northwest corner of Steiner and Waller
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southwest corner of Divisadero and Haight
Northwest corner of Fulton and Divisadero
1750 Fulton
Southeast corner of Hayes and Masonic

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Northeast corner of Haight and Steiner
Southeast corner of Post and Webster
Southwest corner of California and Fillmore
Southwest corner of Haight and Divisadero
444 Divisadero
Northeast corner of Broderick and Geary
Northwest corner of Fulton and Divisadero
Southwest corner of Geary and Divisadero
1750 Fulton
Southwest corner of Fulton and Lyon

Advertiser
2435 California
Northeast corner of Broderick and Geary
Southwest corner of Sutter and Buchanan
Northwest corner of Fulton and Divisadero
2101 Divisadero
1750 Fulton

Open Exchange
Northwest corner of Fillmore and Post

Real Estate Times
Southwest corner of Fillmore and California

Rental Guide
2101 Divisadero

Jobs and Careers
1600 Post
2101 Divisadero

Western Edition HP
Southwest corner of Geary and Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Southeast corner of Garden and Broderick
Approximately 560 Masonic
347 Pierce
Southeast corner of Laguna and Hayes
Northeast corner of Haight and Fillmore
Southwest corner of Haight and Webster
Lower west section of Sunset Tunnel Park
734 Clayton
Approximately 1490 Waller
235 Broderick
652 Hayes
Approximately 602 Hayes
768 Hayes
Southeast corner of Birch and Laguna
Approximately 2475 California
909 Haight
275 Divisadero
717 Divisadero
793 Divisadero
849 Divisadero
876 Broderick
999 Divisadero
Northwest corner of O'Farrell and Divisadero
2101 Divisadero
Approximately 1407 Divisadero
1351 Divisadero

Wood Poles
Southeast corner of Grove and Laguna
131 Wilmot
Approximately 5 Orben
Approximately 2025 McAllister
1617 Fulton
Approximately 485 Waller

Concrete Pole
1964 Post

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings
Northwest corner of Broderick and Post
1798 McAllister
295 Buchanan, on fence of Haight side
597 Waller
478-484 Haight
1503 Waller
597 Hayes, planter boxes
573 Hayes
955 Oak
901 Oak
707 Clayton
156 Steiner, on north side of Waller
1933 Post, on east side
1964 Post
291 Divisadero
415 Divisadero
705 Divisadero
1013 Divisadero
1347 Divisadero
2101 Divisadero, on east side
Northwest corner of O'Farrell and Divisadero

Planter Box
Northwest corner of Hayes and Fillmore

Parking Lot
Approximately 2350 Post

Private Street Fixture
2338 Geary

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Northeast corner of Fillmore and Hayes
Northwest corner of Buchanan and Hayes
In front of 579 Hayes

Southwest corner of Geary and Divisadero
Northwest corner of Golden Gate and Divisadero
Southeast corner of Baker and McAllister
Southeast corner of Central and McAllister
Southwest corner of Lyons and Hayes
1195 Divisadero
Northwest corner of Ellis and Divisadero

Mailboxes
Southeast corner of Ellis and Laguna
Southwest corner of Oak and Divisadero
Northwest corner of Geary and Divisadero
Southwest corner of Lyon and Hayes

Public Bench
Northwest corner of Hayes and Masonic

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Northwest corner of Oak and Divisadero
Southeast corner of Hayes and Divisadero
Northeast corner of Geary and Divisadero
Northeast corner of Broderick and Divisadero
Northeast corner of Linden and Buchanan
Approximately 1110 Oak

Bus Shelters
Northwest corner of Haight and Divisadero
Southeast corner of Masonic and Hayes
Northeast corner of Carl and Cole
Southwest corner of Laguna and McAllister
Northeast corner of Geary and Webster
All four bus shelters on Haight and Fillmore
Southwest corner of Buchanan and Haight

Emergency Boxes
Northeast corner of Fell and Divisadero
Northeast corner of Geary and Divisadero
Southeast corner of Baker and Grove
Northwest corner of Lyon and Hayes
Southwest corner of Oak and Broderick
Southwest corner of Pierce and Page
Northeast corner of Baker and Page
Southeast corner of Haight and Steiner

In Memoriam

Jerry Paul Smith - Supervisor Farrell

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:01 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 1, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 4, 2011 - 2:00 PM

Hearing Room 416
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 36

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:13 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

110900 [Administrative Code - Film Fees and Rebate Program]

Sponsor: Farrell

Ordinance amending the San Francisco Administrative Code Sections 57.5 and 57.8 to: 1) decrease filming fees for smaller-budget productions; 2) include documentary films, docudrama films, and "reality" programming among eligible productions for the Film Rebate Program; 3) exempt productions by nonprofit entities, public service announcements, and qualifying student productions from film fees; and 4) make environmental findings.
(Fiscal Impact)

Ordinance No. 205-11

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

110884 [Accept and Expend Grant - the STOP Study - $443,333]

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Centers for Disease Control and Prevention in the amount of $443,333 to fund the STOP Study for the period of June 15, 2011, through June 14, 2012.

Resolution No. 423-11

ADOPTED

Recommendation of the Public Safety Committee

110846 [Administrative Code - Postrelease Community Supervision Program]
Sponsors: Mirkarimi; Cohen
Ordinance amending the San Francisco Administrative Code by adding Article XXII, Sections 2A.300 and 2A.301, Chapter 2A to: 1) designate the Adult Probation Department as the county agency responsible for providing postrelease community supervision to eligible inmates released from state prison, as required under California Penal Code section 3451; and 2) authorize the Adult Probation Department to develop a Home Detention and Electronic Monitoring Program that can be used as a supervision tool and sanction for persons who violate conditions of their Postrelease Community Supervision Program.

Ordinance No. 203-11

FINALLY PASSED

Recommendations of the Rules Committee

110139 [Settlement of Lawsuit - Loren Miller Homes - $317,500]
Ordinance authorizing settlement of the lawsuit filed by Loren Miller Homes, a California corporation, against the City and County of San Francisco for $317,500; the lawsuit was filed on July 22, 2010, in San Francisco Superior Court, Case No. CGC-10-501831; entitled Loren Miller Homes v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 200-11

FINALLY PASSED

110692 [Settlement of Lawsuit - West Bay Builders, Inc. - City to Retain $900,000]
Ordinance authorizing settlement of the lawsuit entitled West Bay Builders, Inc. v. City and County of San Francisco, San Francisco Superior Court Case No. CGC-10-503366, arising from a breach of contract dispute regarding Contract No. 6159A for construction of a new Recreation and Park Department (RPD) facility known as the Minnie and Lovie Ward Recreation Center and Ocean View Park, for which West Bay Builders, Inc., served as the prime contractor, calling for the RPD to retain $900,000 from the contract balance and including other material terms of said settlement. (City Attorney)

Ordinance No. 201-11

FINALLY PASSED

110954 [Settlement of Lawsuit - Julio Calero - $75,000]
Ordinance authorizing settlement of the lawsuits filed by Julio Calero against the City and County of San Francisco for $75,000; the lawsuits were filed on September 18, 2009, and March 19, 2010, in San Francisco Superior Court, Case Nos. CGC-08-479969 and CGC-10-497921; entitled Julio Calero, et al. v. City and County of San Francisco, et al. and Julio Calero, et al. v. Colin Construction Company, et al. (City Attorney)

Ordinance No. 207-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the Consent Agenda

Supervisor Mirkarimi requested that File No. 110901 be severed so that it may be considered separately.

Recommendation of the Public Safety Committee

110901 [Police Code - Safe Storage and Enhanced-Lethality Ammunition Findings]

Sponsors: Mirkarimi; Campos, Cohen and Chiu

Ordinance amending the San Francisco Police Code by adding Sections 4511 and 613.9.5 to add findings to ordinances: 1) requiring a handgun to be kept in a locked container or disabled with a trigger lock; and 2) prohibiting the sale of enhanced-lethality ammunition.

Ordinance No. 206-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

110720 [Administrative Code - Gift Funds]

Sponsors: Mayor; Chiu and Chu

Ordinance amending the San Francisco Administrative Code Sections 10.100-100 and 10.100-106, and adding Section 10.100-257 to: 1) create a Recreation and Parks Gift Fund; 2) update the Mayor's Earthquake Emergency Relief Fund to broaden its purpose as a general disaster recovery fund; and 3) amend the Mayor's Fund for the homeless to change the administering agency.

Ordinance No. 202-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee

110854 [Environment Code - Green Building Requirements for City Buildings]

Sponsors: Mayor; Mar

Ordinance amending the San Francisco Environment Code, Chapter 7, Sections 700 through 713 to update the green building requirements for the design, construction, and operation of City buildings.

Ordinance No. 204-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Land Use and Economic Development Committee Without Recommendation

110589 [Planning Code - Zoning Map - Establishing the Lombard and Scott Street Affordable Group Housing Special Use District - 3151-3155 Scott Street]

Sponsors: Chiu; Avalos, Kim, Mar, Mirkarimi and Campos

Ordinance amending the San Francisco Planning Code Section Map 2SU, and adding Section 249.55 to: 1) create the Lombard and Scott Street Affordable Group Housing Special Use District for the real property encompassing 3151-3155 Scott Street (Assessor's Block No. 0937, Lot No. 001), at the southwest corner of Scott and Lombard Streets, in order to facilitate the development of an affordable group housing project; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mirkarimi, Wiener
Noes: 1 - Farrell
Absent: 1 - Mar

From the Rules Committee Without Recommendation

110718 [Campaign and Governmental Conduct Code - Capping the Amount of Public Matching Funds]

Sponsors: Farrell; Elsbernd

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.144 to cap the amount of public matching funds.

Privilege of the floor was granted to Mark Morodomi (Supervising Attorney, City of Oakland), Acting Special Counsel, who responded to questions raised throughout the discussion.

PASSED ON FIRST READING. The motion FAILED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

110955 [Settlement of Lawsuits - Mitchell Engineering; Authorization of Bonds and Appropriation of Funds - Not to Exceed $15,750,000]

Ordinance: 1) authorizing settlement of all claims arising out of nine lawsuits involving Mitchell Engineering and the City and County of San Francisco; 2) declaring the intent of the San Francisco Public Utilities Commission to reimburse certain expenditures for settlement costs from proceeds of future bonded indebtedness for purposes of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended; 3) authorizing the issuance of Settlement Bonds in connection therewith, as well as the associated financing cost to issue; 4) appropriating $15,750,000, including insurance proceeds in the total amount of $750,000, project construction funds in the total amount of $920,207, and proceeds of Settlement Bonds in the amount of $14,079,793; and 5) authorizing the use of substitute fund balance as a source in lieu of Settlement Bonds if available. (City Attorney)

Ordinance No. 208-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

110870 [Engineering Design Agreement No. CS-879A - Water System Improvement Program - Not to Exceed $14,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879A for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed $14,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 418-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110871 [Engineering Design Agreement No. CS-879B - Water System Improvement Program - Not to Exceed $15,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879B for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed $15,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

Resolution No. 419-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110872 [Engineering Design Agreement No. CS-879C - Water System Improvement Program - Not to Exceed $16,500,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879C for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed $16,500,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

Resolution No. 420-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110874 [Management Services Agreement No. CS-918 - Water System Improvement Program - Not to Exceed $17,500,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase New Irvington Tunnel Construction Management Services Agreement No. CS-918 for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed $17,500,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

Resolution No. 421-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110875 [Management Services Agreement No. CS-963 - Water System Improvement Program - Not to Exceed $34,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Program Construction Management Services Agreement No. CS-963 for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed $34,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

Resolution No. 422-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110960 [Office of the Controller to Examine Confidential State Board of Equalization Tax Records]

Resolution authorizing designated officers and employees of the City and County of San Francisco to examine sales or transactions and use tax records of the State Board of Equalization pursuant to California Revenue and Taxation Code Section 7056. (Controller)

Resolution No. 425-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110961 [MuniServices, LLC, to Examine Confidential State Board of Equalization Tax Records]

Resolution authorizing MuniServices, LLC, to examine sales or transactions and use tax records of the State Board of Equalization on behalf of the City and County of San Francisco pursuant to California Revenue and Taxation Code Section 7056. (Controller)
(Fiscal Impact.)

Resolution No. 426-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110972 [Contract - San Francisco Community Health Authority - Provider Payment Services for the Healthy San Francisco Program]

Sponsor: Mayor

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract with the San Francisco Community Health Authority for provider payment services for the Healthy San Francisco Program for the term of July 1, 2011, through June 30, 2012.
(Fiscal Impact)

Resolution No. 427-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111005 [Accept and Expend Grant - Primary and Behavioral Health Care Integration - $473,485]

Sponsor: Kim

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant from Department of Health and Human Services, Substance Abuse and Mental Health Services, and Center for Mental Health Services in the amount of $473,485 to fund the Primary and Behavioral Health Care Integration for the period September 1, 2011, through August 31, 2012.

Resolution No. 428-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Committee Without Recommendation

111034 [Tax Credit Agreement - U.S. Bancorp - SFJazz Investment of $11,104,275]

Sponsor: Kim

Resolution making findings under the California Environmental Quality Act and approving a new market tax credit indemnification agreement with U.S. Bancorp Community Development Corporation in connection with its investment of $11,104,275 for the new SFJazz Building at 205 Franklin Street.
(Fiscal Impact)

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED on Page 5, Line 12, by adding 'FURTHER RESOLVED, That the proposed Indemnification Agreement is limited to U.S. Bancorp's purchase of $15,000,000 of New Market Tax Credits from SFCIF and not from the purchase of New Market Tax Credits from other community development entities; and, be it'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Privilege of the floor was granted to Stephen Maduli-Williams (Redevelopment Agency) who responded to questions raised throughout the discussion.

Resolution No. 415-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the City Operations and Neighborhood Services Committee Without Recommendation

110899 [Administrative Code - False Advertising by Limited Services Pregnancy Centers]

Sponsors: Cohen; Chiu, Wiener, Kim, Chu, Mar, Campos and Avalos

Ordinance amending the San Francisco Administrative Code by adding Chapter 93, Sections 93.1 through 93.5, to prohibit limited services pregnancy centers from making false or misleading statements to the public about pregnancy-related services the centers offer or perform.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to October 18, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Government Audit and Oversight Committee

110791 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Hiring Practices of the City and County of San Francisco"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Hiring Practices of the City and County of San Francisco" and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 416-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110793 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "San Francisco's Ethics Commission: The Sleeping Watchdog"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "San Francisco's Ethics Commission: The Sleeping Watchdog" and urging the Mayor to cause the implementation of accepted findings and recommendations through his department heads and through the development of the annual budget. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 3, Line 4, by adding 'disagrees' after 'Supervisors'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 2, Line 19, by adding 'within the constraints of the budget' after '7'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Avalos, seconded by Supervisor Elsbernd, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 3, Line 2, by adding 'within the constraints of the budget' after '7'. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Avalos

Resolution No. 417-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee

110913 [Gift Acceptance - Powell Street Promenade]

Sponsor: Kim

Resolution acknowledging and accepting the Union Square Business Improvement District's gift of the Powell Street Promenade on Powell Street, between Geary Boulevard and Ellis Street, and dedicating these improvements to public use.

Resolution No. 424-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Cohen was noted absent at 3:45 p.m. and noted present at 3:53 p.m.
Supervisor Elsbernd was noted absent at 3:45 p.m. and noted present at 3:53 p.m.
Supervisor Chu was noted absent at 3:45 p.m. and noted present at 3:53 p.m.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Avalos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the friends and family of the following honoree. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the friends and family of the late Eric Ivan Fructuoso in recognition of his accomplishments and community support. Supervisors Mirkarimi and Avalos shared in this recognition.

Supervisor Kim was noted absent at 7:24 p.m. and noted present at 7:33 p.m.
Supervisor Cohen was noted absent at 7:24 p.m. and noted present at 7:31 p.m.
Supervisor Farrell was noted absent at 7:32 p.m. and noted present at 7:45 p.m.

SPECIAL ORDER 4:00 P.M.

110945 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1171 Sansome Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 16, 2010, Case No. 2008.015E, that a project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review under Categorical Exemption, General Rule Exclusion [State CEQA Guidelines Section 15061(b)(3)]. The proposed work involves subdivision of an existing undeveloped lot into a 3,300 square foot parcel and a 9,300 square foot parcel, Lot No. 40, in Assessor Block No. 113. (District 3) (Appellants: David Davies, Jack Weeden, and Verdica Puri)

(Filed August 22, 2011; Companion Measure to File Nos. 110946, 110947, and 110948.)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt-Hawley and Larry Karp (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Vedica Puri; John Gollinger; F. Joseph Butler; spoke in support of the appeal. Don Lewis; Nannie Turrell (Planning Department); Bruce Storrs (Department of Public Works) provided an overview of the decision of the Planning Department and Department of Public Works and responded to questions raised throughout the discussion. There were no representatives on behalf of the project sponsor and there were no speakers in support of the project. Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110946 [Affirming the Exemption Determination - 1171 Sansome Street]

Motion affirming the determination by the Planning Department that the 1171 Sansome Street project (aka 1111 Sansome Street) is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110947 [Reversing the Exemption Determination - 1171 Sansome Street]

Motion reversing the determination by the Planning Department that the 1171 Sansome Street project (aka 1111 Sansome Street) is exempt from environmental review. (Clerk of the Board)

Motion No. M11-148

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110948 [Preparation of Findings to Reverse the Exemption Determination - 1171 Sansome Street]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review.

Motion No. M11-149

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 4:00 P.M.

110835 [Public Hearing - Appeal of Tentative Parcel Map - 1171 Sansome Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 30, 2011, approving a Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040. (District 3) (Appellants: David Davies and Jack Weeden). (Clerk of the Board)
(Filed July 11, 2011; Companion Measure to File Nos. 110836, 110837, and 110838.)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt-Hawley and Larry Karp (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Vedica Puri; John Gollinger; F. Joseph Butler; spoke in support of the appeal. Don Lewis; Nannie Turrell (Planning Department); Bruce Storrs (Department of Public Works) provided an overview of the decision of the Planning Department and Department of Public Works and responded to questions raised throughout the discussion. There were no representatives on behalf of the project sponsor and there were no speakers in support of the project. Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

Due to the actions on File Nos. 110946, 110947, 110948, the following three items are tabled by operation of law.

HEARD AT PUBLIC HEARING

110836 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1171 Sansome Street]

Motion finding the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works; and approving the Tentative Parcel Map. (Clerk of the Board)

TABLED BY OPERATION OF LAW

110837 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1171 Sansome Street]

Motion finding the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; disapproving the decision of the Department of Public Works; and disapproving the Tentative Parcel Map. (Clerk of the Board)

TABLED BY OPERATION OF LAW

110838 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1171 Sansome Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040. (Clerk of the Board)

TABLED BY OPERATION OF LAW

Supervisor Cohen was noted absent at 4:05 p.m. and noted present at 4:19 p.m.
Supervisor Elsbernd was noted absent at 4:29 p.m. and noted present at 4:35 p.m.
Supervisor Mirkarimi was noted absent at 5:59 p.m. and noted present at 7:10 p.m.
Supervisor Mar was noted absent at 6:17 p.m. and noted present at 7:33 p.m.

SPECIAL ORDER 4:00 P.M.

110977 [Public Hearing - Appeal of Mitigated Negative Declaration - 3151-3155 Scott Street]
Hearing of persons interested in or objecting to the decision of the Planning Department's issuance and the Planning Commission's affirmation of a Mitigated Negative Declaration (Case No. 2010.0420E) adopted and issued on July 14, 2011, under the California Environmental Quality Act, for a project located at 3151-3155 Scott Street. The proposed work involves the conversion of a building formerly used as a 29-room tourist hotel (d.b.a. King Edward II) to a group housing use with up to 24 affordable group housing units (for transitional age youth (i.e., youth transitioning out of foster care because they have turned 18 years old) between the ages of 18 and 24), one manager's unit, and rooms for programmatic needs. The subject property is located in the NC-3 (Moderate-Scale Neighborhood Commercial) District, and a 40-X Height and Bulk District, Assessor's Block No. 0937, Lot No. 001. (District 2) (Appellants: Lori Brooke and Steven L. Hammond on behalf of the Cow Hollow Association, joined by Various Associations.) (Clerk of the Board)
(Filed September 8, 2011; Companion Measure to Files 110978; 110979, and 110980.)

The President inquired as to whether any member of the public wished to address the Board. Steve Hammond (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Charles Holden; Howard Squires; Lori Brooke; Alan Silverman; Pamela Squires; Alfred Amini; Eve Soloman; Ann Harvey; Carolyn Harrington; Mildred Ness; Pam Shawshack; Veronica Field; Jennifer Harrington; Patricia Vaughey; Jeff Wood; spoke in support of the appeal. Lisa Gibson; Andrea Contreras; AnMarie Rodgers; (Planning Department); Andrea Ruiz-Esquide (City Attorney's Office); provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Gail Gilman; Wayne Barcelona; Cheryl Adams (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Charles Dickie; Seth Ketzman; Joseph Stickle; Vince Hinnegmann; Joel Lipski; Glendon Anaconda-Hyde; Reverend Arnold Townsend; Rob Giddon; Male Speaker; Steven Chung; Mark Slutzken; Barbara Abehr; Bill Campbell; Vanessa Geary; John Kalin; Thomas Sexton; Nathan Duran; Karen Summerich; Moni Vancer; Stephen Coke; Jeff Perry; Hinney Kelley; Morrie Singleton; Nadia Shireef; Jose Luis Mejia; Sherry Williams; Sandra Banya-Torrey; Richard Singleton; Jeff Bostick; Lisa Blakley; Tim Cullen; Amy Vinehard; Bob; Joe Mathis; Dierdre Cohen; Aguila Dunn; Bryon Whitton; Bob Bardell; Chris Jackson; Peter Cohen; Jennifer Freedomblach; Otto Duffy; spoke in support of the project and in opposition to the appeal. Steve Hammond (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110978 [Affirming the Issuance of a Final Mitigated Negative Declaration - 3151-3155 Scott Street]

Motion affirming the issuance by the Planning Department of a Final Mitigated Negative Declaration for a project located at 3151-3155 Scott Street. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener
Absent: 2 - Mar, Mirkarimi

Supervisor Mirkarimi, seconded by Supervisor Wiener, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Motion No. M11-146

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110979 [Reversing the Issuance of a Final Mitigated Negative Declaration - 3151-3155 Scott Street]

Motion reversing the issuance by the Planning Department of a Final Mitigated Negative Declaration for 3151-3155 Scott Street.

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener
Absent: 2 - Mar, Mirkarimi

Supervisor Mirkarimi, seconded by Supervisor Wiener, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110980 [Preparation of Findings to Reverse the Issuance of a Final Mitigated Negative Declaration - 3151-3155 Scott Street]

Motion directing the Clerk of the Board to prepare findings reversing the issuance by the Planning Department of a Final Mitigated Negative Declaration for 3151-3155 Scott Street. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener
Absent: 2 - Mar, Mirkarimi

Supervisor Mirkarimi, seconded by Supervisor Wiener, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 4:00 P.M.

110935 [Public Hearing - Conditional Use Appeal - 3151-3155 Scott Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 14, 2011, Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ, by its Motion No. 18405, under Planning Code Sections 303 and 249.55 to convert a vacant tourist hotel (dba Edward II Inn) to a group housing use containing up to 25 units (24 units for transitional age youth between 18 and 24, and one manager's unit) within the NC-3 (Moderate Scale, Neighborhood Commercial) District, the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) and a 40-X Height and Bulk District, on property located at 3151-3155 Scott Street, Assessor's Block No. 0937, Lot No. 001. (District 2) (Appellant: Adam Polakoff on behalf of Cow Hollow Association, joined by Various Associations.)
(Filed August 15, 2011; Companion Measure to File Nos. 110936, 110937, and 110938.)

The President inquired as to whether any member of the public wished to address the Board. Steve Hammond (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Charles Holden; Howard Squires; Lori Brooke; Alan Silverman; Pamela Squires; Alfred Amini; Eve Soloman; Ann Harvey; Carolyn Harrington; Mildred Ness; Pam Shawshack; Veronica Field; Jennifer Harrington; Patricia Vaughey; Jeff Wood; spoke in support of the appeal. Lisa Gibson; Andrea Contreras; AnMarie Rodgers; (Planning Department); Andrea Ruiz-Esquide (City Attorney's Office); provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Gail Gilman; Wayne Barcelona; Cheryl Adams (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Charles Dickie; Seth Ketzman; Joseph Stickle; Vince Hinnegmann; Joel Lipski; Glendon Anaconda-Hyde; Reverend Arnold Townsend; Rob Giddon; Male Speaker; Steven Chung; Mark Slutzken; Barbara Abehr; Bill Campbell; Vanessa Geary; John Kalin; Thomas Sexton; Nathan Duran; Karen Summerich; Moni Vancer; Stephen Coke; Jeff Perry; Hinney Kelley; Morrie Singleton; Nadia Shireef; Jose Luis Mejia; Sherry Williams; Sandra Banya-Torrey; Richard Singleton; Jeff Bostick; Lisa Blakley; Tim Cullen; Amy Vinehard; Bob; Joe Mathis; Dierdre Cohen; Aguila Dunn; Bryon Whitton; Bob Bardell; Chris Jackson; Peter Cohen; Jennifer Freedomblach; Otto Duffy; spoke in support of the project and in opposition to the appeal. Steve Hammond (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110936 [Approving the Planning Commission's Decision Related to the Conditional Use Authorization - 3151-3155 Scott Street]

Motion approving the Planning Commission's decision, by its Motion No. 18405, approving the Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M11-147

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mirkarimi, Wiener
Noes: 1 - Farrell
Absent: 1 - Mar

110937 [Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 3151-3155 Scott Street]

Motion disapproving the Planning Commission's decision, by its Motion No. 18405, approving Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mirkarimi, Wiener
Noes: 1 - Farrell
Absent: 1 - Mar

110938 [Preparation of Findings Related to the Conditional Use Authorization - 3151-3155 Scott Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mirkarimi, Wiener
Noes: 1 - Farrell
Absent: 1 - Mar

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

110998 [Administrative Code - Health Care Security Ordinance]

Sponsors: Campos; Cohen, Mar, Avalos, Kim and Mirkarimi

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, and 14.4 to: 1) clarify that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) add an employee notification requirement; 3) modify penalty provisions; and 4) set an operative date.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 5, Line 1, by replacing '(A) A former employee has not made a claim for any of the remaining available funds for 18 months (including a claim made on behalf of any other person eligible for reimbursement from health care expenses from the former employee's remaining available funds); or,' with '(A) The covered employee has not performed work for the employer for 18 months; or,'; and on Page 10, Lines 3, 5, and 6, by replacing '14.3(b)' with '14.3(c)'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Cohen, Kim, Mar, Mirkarimi
Noes: 5 - Chiu, Chu, Elsbernd, Farrell, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns in Arabic and English.
James Chaffee; expressed concerns relating to the SF Public Library.
Alicia Gamez; expressed various concerns relating to the sunset date of the Noise Pollution Task Force.
Female Speaker; expressed concerns relating to falong gong.
Peter Li; expressed concerns relating to falong gong.
Martin Wong; expressed concerns relating to falong gong.
Derek; expressed concerns relating to falong gong.
Helena Li; expressed concerns relating to falong gong.
Kevin Hui; expressed concerns relating to falong gong.
Sharon Uey; expressed concerns relating to human rights and violence in the community.
Tom Gilberty; expressed concerns relating to noise pollution.
Peter Warfield; expressed concerns relating to the SF Public Library and alterations of the Park Branch Library.
Joseph Butler; expressed concerns relating to alternations of the Park Branch Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111062 [Mission Hiring Hall Day - October 13, 2011]

Sponsors: Avalos; Mar

Resolution declaring October 13, 2011, as Mission Hiring Hall Day in the City and County of San Francisco to commemorate the 40th Anniversary and to acknowledge its contributions to community based employment services and honoring Mission Hiring Halls commitment to the creation, preservation, and advocacy of economic justice for our San Francisco workers and communities.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 429-11

ADOPTED

111063 [Supporting the Central Subway Project and Replacement Housing Obligation]

Sponsors: Chiu; Kim, Cohen, Mar, Wiener, Elsbernd, Mirkarimi, Chu, Avalos, Campos and Farrell

Resolution supporting the Central Subway Project, replacement of all demolished rent controlled units, and that which provides relocation packages to all displaced tenants.

Resolution No. 433-11

ADOPTED

111064 [Walk to School Day - October 5, 2011]

Sponsor: Kim

Resolution declaring October 5, 2011, as Walk to School Day in the City and County of San Francisco to promote the safety and health of San Francisco children.

Resolution No. 430-11

ADOPTED

111065 [Extending the Life of the Western SoMa Citizens Planning Task Force]

Sponsor: Kim

Resolution extending the life of the Western SoMa Citizens Planning Task Force.

Resolution No. 431-11

ADOPTED

111066 [George Washington High School Day - October 15, 2011]

Sponsor: Mar

Resolution celebrating the Diamond Jubilee of George Washington High School and proclaiming October 15, 2011, as George Washington High School Day in the City and County of San Francisco.

Resolution No. 432-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 111061 be severed so that it may be considered separately.

111061 [Urging Governor Jerry Brown to Support Assembly Bill 438 - Protect Public Libraries from for-Profit Corporation Takeovers]

Sponsor: Avalos

Resolution urging Governor Jerry Brown to support and implement Assembly Bill 438 that protects public libraries from for profit corporate takeovers.

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED to October 18, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111075 [Campaign and Governmental Conduct Code - Televising Ethics Commission Meetings]

Sponsors: Campos; Chiu and Mar

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Section 3.301 to require the Ethics Commission to televise its meetings on San Francisco Government Television (SFGovTV).

10/04/11; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/3/2011.

111076 [Allowing Playground Structures in Certain Portions of Sue Bierman Park]

Sponsors: Chiu; Mar

Ordinance amending the conditions previously placed on portions of Sue Bierman Park, authorizing the construction of playground structures, and making CEQA findings.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

111077 [Police Code - Security Plans for Commercial Parking Garages and Lots]

Sponsors: Chiu; Wiener

Ordinance amending the San Francisco Police Code Sections 1215 through 1215.4, and adding Section 1215.7, to: 1) require a security plan as part of an application for a commercial parking permit; 2) set requirements for security plans; 3) authorize the Chief of Police to suspend or revoke a commercial parking permit for violation of an approved security plan; 4) authorize the Chief of Police to promulgate rules that set requirements for security plans; and 5) authorize enforcement by the City Attorney in a civil action; and making environmental findings.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 11/3/2011.

111078 [Planning Code and Zoning Map Amendments - India Basin Industrial Park]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code Section 249.42 to: 1) allow outpatient medical care clinics; 2) amend Zoning Map Sheet 8 SU of the San Francisco Planning Code to add parcels in Block No. 5211, Lot Nos. 29 through 54 to the India Basin Special Use District and remove the parcel in Block No. 5211, Lot No. 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; and 3) make environmental findings and findings of consistency with general plan.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

111079 [Administrative Code - Additional Pre-Approval Notice for Certain City Projects]

Sponsor: Farrell

Ordinance amending San Francisco Administrative Code by adding Chapter 79A to expand upon the minimum notice requirements prior to approval of a City Project that are mandated by the Citizens' Right-to-Know Act of 1998.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/3/2011.

111080 [Zoning Map - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station Relocation and Housing Project)]

Sponsor: Kim

Ordinance amending the San Francisco Planning Code Sectional Map ZN01 of the Zoning Maps to change the use classification of 676 Howard Street (Block No. 3722, Lot No. 28) from Public (P) to Downtown-Support District (C-3-S) and a portion of 935 Folsom Street (Block No. 3753, Lot No. 140) from Mixed Use-Residential (MUR) to Public (P) as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station Relocation and Housing Project; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

111081 [General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station Relocation and Housing Project)]

Sponsor: Kim

Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art Expansion/Fire Station Relocation and Housing Project; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

111082 [Campaign and Governmental Conduct Code - Increasing the Individual Expenditure Ceiling, Capping the Amount of Public Matching Funds in Mayoral Races, and Increasing the Maximum Amount of Public Funding in Supervisorial Races]

Sponsors: Kim; Campos, Mirkarimi, Mar and Avalos

Ordinance amending the Campaign and Governmental Conduct Code Sections 1.140, 1.143, and 1.144, to increase the amount of the individual expenditure ceiling, cap the amount of public matching funds in mayoral races, and increase the maximum amount of public funding in supervisorial races.
(Fiscal Impact)

10/04/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/3/2011.

111083 [Administrative Code - Health Care Security Ordinance]

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code Sections 14.3 and 14.4, and adding Section 14.3.5, to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) add an employee notification requirement; 3) require employers imposing surcharges to pay for the required expenditures to report certain information to the City; 4) provide for a study of compliance with Chapter 14 and a recommendation regarding more stringent standards for expenditures, and set City policy regarding what those standards should be; 5) modify penalty provisions; and 6) set an operative date.

10/04/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111084 [Appropriating $1,843,125 of Children's Fund Contingency in the Department of Children, Youth, and their Families to Fund Subsidized Child Care for Low Income Families - FY2011-2012]

Sponsor: Mayor

Ordinance appropriating $1,900,000 of Children's Fund Designated Contingency to the Department of Children, Youth, and their Families to allow California Department of Education Title Five Contractors to provide subsidized child care funding for low income families in order to mitigate State cuts in FY2011-2012.
(Fiscal Impact)

10/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111085 [Memorandum of Understanding, Amendment No. 4 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by extending its term to June 30, 2015, and implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

10/04/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

110818 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Central Subway Too Much Money For Too Little Benefit"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Central Subway Too Much Money for Too Little Benefit" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

09/22/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110929 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Whistling in the Dark: The San Francisco Whistleblower Program"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Whistling in the Dark: The San Francisco Whistleblower Program" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

07/11/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111086 [Golden Gate Valley Branch Library Grand Reopening]

Sponsor: Farrell

Resolution recognizing the grand reopening of the Golden Gate Valley Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to the City and County of San Francisco and its residents.

10/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111087 [Multifamily Housing Revenue Bonds, Series 2011B - Fell Street Apartments - Not to Exceed $8,100,000]

Sponsor: Mirkarimi

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $8,100,000 for the purpose of providing financing for the acquisition and rehabilitation of an 82 unit multifamily rental housing project, known as Fell Street Apartments; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

10/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111088 [Designation of Authority Related to the California Housing and Community Development Infill Infrastructure Grant]

Sponsor: Mayor

Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to execute any documents necessary to participate in the State Infill Infrastructure Grant Program in accordance with the executed standard agreement with the California State Department of Housing and Community Development as authorized by Resolution No. 492-10.

10/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111089 [Recognizing the Completion and Celebrating the Reopening of McCoppin Square Park]

Sponsors: Chu; Elsbernd

Resolution recognizing the completion of the McCoppin Square rebuild project and celebrating the grand reopening of the park and playground.

10/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111090 [Lease Amendment - St. Francis Yacht Club for the West Harbor Marina Seawall Repair]

Sponsor: Farrell

Resolution authorizing an amendment to the St. Francis Yacht Club lease allowing the Recreation and Parks Department to offer rent credits for the West Harbor Marina seawall repair. (Fiscal Impact)

10/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111091 [Approval of a 60-Day Extension for Planning Commission Review of Self-Service Restaurants, Retail Coffee Stores, and Video Stores (File No. 110152)]

Sponsor: Mirkarimi

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110152) that would amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; and 7) making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

10/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110817 [2010-2011 Civil Grand Jury Report - Central Subway]

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Central Subway Too Much Money For Too Little Benefit." (Clerk of the Board)

07/07/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/18/11; RESPONSE RECEIVED.

08/30/11; RESPONSE RECEIVED.

110928 [2010-2011 Civil Grand Jury Report - Whistleblower Program]

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Whistling in the Dark: The San Francisco Whistleblower Program." (Clerk of the Board)

07/11/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/06/11; RESPONSE RECEIVED.

09/09/11; RESPONSE RECEIVED.

111092 [Hearing - 8 Washington Development and Waterfront Upzoning]

Sponsor: Chiu

Hearing on the status of the 8 Washington Project.

10/04/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

111024 [Settlement of Lawsuit - Norman T. Larson, et al. - $122,500]

Ordinance approving settlement of the lawsuit filed by Norman T. Larson, San Francisco Apartment Association, San Francisco Association of Realtors, Coalition For Better Housing, Round Hill Pacific, and John Zanghi (collectively "Larson Petitioners") against the City and County of San Francisco by payment by the City and County of San Francisco to the Larson Petitioners' counsel Nielsen, Merksamer, Parrinello, Gross, and Leoni, LLP, in the amount of $122,500 and other terms; the lawsuit was filed on December 10, 2008, in the San Francisco Superior Court, Case No. 509-083, entitled Larson et al. vs. City and County of San Francisco. (City Attorney)

09/21/11; RECEIVED AND ASSIGNED to Rules Committee.

111025 [Settlement of Lawsuit - City to Pay $500 for Sub-Surface Easement in San Mateo County]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; and Does 1 through 100; to condemn and take by right of eminent domain a permanent sub-surface easement of approximately 27,829 square feet in property owned by San Mateo County Transit District, located in Menlo Park, California, commonly known as SBE 872-41-20P; filed June 3, 2010, in San Mateo County Superior Court, Case No. CIV 495644; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; and Does 1 through 100. (City Attorney)

09/23/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

110372 [Contract Amendment - San Francisco General Hospital - Emergency Electrical Generation System - Not to Exceed $20,500,000]

Resolution authorizing the Director of Public Works to execute an amendment to the emergency public work contract to install a new, permanent emergency electrical generation system at San Francisco General Hospital to increase the not to exceed amount from $18,000,000 to $20,500,000. (Public Works Department)
(Fiscal Impact)

09/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110986 [Airport Concession Lease - Amendment No. 1 to Terminal 3 Newstands - Pacific Gateway Concessions, LLC]

Resolution approving Amendment No. 1 to Terminal 3 Newsstands Lease No. 04-0165 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

09/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110987 [Airport Concession Lease - Amendment No. 4 to Boarding Areas B and C Principal Retail - Pacific Gateway Concessions, LLC]

Resolution approving Amendment No. 4 to Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

09/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110988 [Airport Concession Lease - Amendment No. 3 to North Terminal Bookstore - Books, Inc.]

Resolution approving Amendment No. 3 to North Terminal Bookstore Lease No. 00-0176 between Books, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

09/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111023 [Interconnection Agreements - Renewable Energy Generating Facilities]

Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into two long term interconnection agreements for renewable energy generating facilities, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

09/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Eric Ivan Fructuoso - Supervisors Jane Kim, Ross Mirkarimi, & John Avalos
Nina and Peter Woo - Supervisor Eric Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:03 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 22, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 3 0 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 18, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 106 Number 37

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

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ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of September 6, 2011, and September 13, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

111093 [Formal Policy Discussions - October 18, 2011]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 2, 4, 6, 8, and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Assuming Proposition C passes in the November election, the City will save $1.3 billion over the next 10 years from higher pension contributions from city employees and caps on pensions for new employees, among other changes. Pension reform will continue to be an issue however as projections indicate that pension costs may well exceed $700 million by 2014-2015, according to the most recent estimates from the Controller's Office. What plans do you have to continue the conversation and potential reforms in this regard? (Supervisor Farrell, District 2)

2. The Healthy San Francisco Program was adopted and implemented by the City several years ago and has experienced steady increases in enrollment over time. What impact has the Healthy San Francisco Program had on health outcomes in the City? What impact has the Healthy San Francisco Program had on reducing the utilization of emergency room visits and reducing costs? Given the Program's performance so far, and given new requirements and policies enacted at the federal level around health care reform, will you be recommending any adjustments or changes to the program? (Supervisor Chu, District 4)

3. Please describe the plan that our offices have been developing for the OccupySF demonstration, given the projected long-term nature of this protest. How can our City, including the Department of Public Health, Department of Public Works, Department of Recreation and Park, and the San Francisco Police Department address public health concerns and the costs associated with that, and protect the 1st Amendment right of OccupySF participants? (Supervisor Kim, District 6)

4. Our taxi system is a critical part of our transit system. We will never truly get people out of their cars without reliable taxi service. Yet it's been more than a decade since we have significantly improved service. Current service levels are inadequate and unacceptable. Municipal Transportation Agency (MTA) is in the process of issuing approximately 85 new permits, and that is a modest first step. Understanding that California Environmental Quality Act (CEQA) clearance may be required to achieve a larger increase in the number of taxis, how do you plan to ensure that MTA meaningfully addresses the lack of adequate taxi service? Will you include in next year's budget funding for any CEQA clearance that may be required to support a significant increase in the number of taxi permits? (Supervisor Wiener, District 8)

5. The City's approach to code enforcement involves a number of departments including the Department of Building Inspection, Police Department, and City Attorney's Office. Throughout the City, and specifically in District 10, we continually see vacant and occupied properties with significant housing and other code violations that go unaddressed for months and sometimes even years. How do you propose to improve the response to complaints, inspection, citation, and enforcement of code violations? Additionally, what strategies or changes can be implemented to increase the City's efficiency in addressing these issues and capacity to take legal action against some of our most egregious property owners who refuse to abate code violations? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Public Safety Committee

111002 [Accept and Expend Grant - Local Juvenile Justice Accountability Measures - $149,896]

Sponsor: Campos

Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of $149,896 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

Resolution No. 435-11

ADOPTED

Recommendations of the Rules Committee

110958 [Appointments, Assessment Appeals Board No. 1 - Diane Robinson and Richard Lee]

Motion appointing Diane Robinson and Richard Lee, terms ending September 1, 2014, to the Assessment Appeals Board No. 1. (Clerk of the Board)

Diane Robinson, seat 3, succeeding herself, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or a Property Appraiser certified by the Office of Real Estate Appraisers; or as a current member of the Assessment Appeals Board, for a three-year term ending September 1, 2014.

Richard Lee, seat 7 (ALTERNATE /HEARING OFFICER), succeeding himself, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or a Property Appraiser certified by the Office of Real Estate Appraisers; or as a current member of the Assessment Appeals Board, for a three-year term ending September 1, 2014.

Motion No. M11-150

APPROVED

110959 [Appointment, Assessment Appeals Board No. 2 - Ed Campana]

Motion appointing Ed Campana, term ending September 1, 2014, to the Assessment Appeals Board No. 2. (Clerk of the Board)

Ed Campana, seat 8 (ALTERNATE /HEARING OFFICER), succeeding Joseph Tham, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or a Property Appraiser certified by the Office of Real Estate Appraiser; or as a current member of the Assessment Appeals Board, for a three-year term ending September 1, 2014.

Motion No. M11-151

APPROVED

111070 [Appointment, Bicycle Advisory Committee - Richard May]

Motion appointing Richard May, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Richard May, seat 6, succeeding Jake Wegmann, resigned, must be a nominee of District 6 Supervisor. The member shall serve a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Motion No. M11-152

APPROVED

111071 [Appointment, Sweatfree Procurement Advisory Group - Robert Rosoff]

Motion appointing Robert Rosoff, term ending December 17, 2013, to the Sweatfree Procurement Advisory Group. (Clerk of the Board)

Motion No. M11-153

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

110899 [Administrative Code - False Advertising by Limited Services Pregnancy Centers]
Sponsors: Cohen; Chiu, Wiener, Kim, Chu, Mar, Campos and Avalos
Ordinance amending the San Francisco Administrative Code by adding Chapter 93, Sections 93.1 through 93.5, to prohibit limited services pregnancy centers from making false or misleading statements to the public about pregnancy-related services the centers offer or perform.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Elsbernd

From the Government Audit and Oversight Committee Without Recommendation

110998 [Administrative Code - Health Care Security Ordinance]
Sponsors: Campos; Cohen, Mar, Avalos, Kim and Mirkarimi
Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, and 14.4 to: 1) clarify that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) add an employee notification requirement; 3) modify penalty provisions; and 4) set an operative date.

FINALLY PASSED by the following vote:

Ayes: 6 - Avalos, Campos, Cohen, Kim, Mar, Mirkarimi
Noes: 5 - Chiu, Chu, Elsbernd, Farrell, Wiener

From the Land Use and Economic Development Committee Without Recommendation

110589 [Planning Code - Zoning Map - Establishing the Lombard and Scott Street Affordable Group Housing Special Use District - 3151-3155 Scott Street]

Sponsors: Chiu; Avalos, Kim, Mar, Mirkarimi and Campos

Ordinance amending the San Francisco Planning Code Section Map 2SU, and adding Section 249.55 to: 1) create the Lombard and Scott Street Affordable Group Housing Special Use District for the real property encompassing 3151-3155 Scott Street (Assessor's Block No. 0937, Lot No. 001), at the southwest corner of Scott and Lombard Streets, in order to facilitate the development of an affordable group housing project; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 209-11

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Farrell

NEW BUSINESS

Recommendations of the Budget and Finance Committee

110903 [Administrative Code - Nonprofit Annual Economic Statement]

Ordinance amending the San Francisco Administrative Code Section 10.1 to allow Nonprofits receiving City funding to provide and update information directly to City Departments as an alternative to filing annual economic statements with the City Administrator. (City Administrator)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111051 [Accept and Expend Grant - Electric Vehicle Charging Station Program and Amendment to the Annual Salary Ordinance for FY2011-2012 - $100,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend funds in the amount of $100,000 from Coulomb Technologies, Inc., to provide administrative and outreach services for a program to install electric vehicle charging stations in multiple-dwelling units and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant funded position at the Department of the Environment.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101539 [Cost-Sharing Agreement - BART - Paratransit Services]

Sponsor: Chu

Resolution retroactively approving a Cost-Sharing Agreement for Paratransit Services between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District for a period of up to ten years.

Resolution No. 438-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110933 [Contract Amendment - Western States Oil - Not to Exceed $78,300,000]

Resolution approving the Fifth Amendment to the Agreement between the City and Western States Oil increasing the total not-to-exceed amount of the contract from $50,500,000 to $78,300,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact)

Resolution No. 434-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110985 [Real Property Lease Amendment - Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn - 160 South Van Ness Avenue]

Resolution authorizing the amendment of an existing lease at 160 South Van Ness Avenue, with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn as Tenants in Common, for the Human Services Agency to provide a construction allowance and extend the lease term. (Real Estate Department)

Resolution No. 439-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111003 [Termination Agreement(s) - Breda Light Rail Vehicle Leveraged Lease Transactions]

Sponsors: Farrell; Chu

Resolution authorizing the Municipal Transportation Agency to enter into one or more consensual termination agreements with the equity investors and other parties that participated in the leveraged lease transactions executed in 2002 and 2003 with respect to the San Francisco Municipal Transportation Agency's Breda light rail vehicles, provided that there is no net financial cost or liability to the City/San Francisco Municipal Transportation Agency for the terminations.

Resolution No. 440-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111010 [General Obligation Refunding Bonds - Series 2011-R1 - Not to Exceed $1,355,991,219]

Sponsor: Mayor

Resolution authorizing the issuance from time to time, in one or more series, of not to exceed $1,355,991,219 aggregate principal amount of the City and County of San Francisco General Obligation Refunding Bonds, including the initial series or series of such Bond to be designated as "City and County of San Francisco General Obligation Refunding Bonds, Series 2011-R1," to refund certain outstanding General Obligation Bonds; approving the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories, verification agents, and other agents for said bonds; approving the form and authorizing the execution and delivery of escrow agreements relating to the refunded bonds; approving and directing the tax levy for repayment of said bonds; approving procedures for competitive or negotiated sales including approving forms of official notice of sale and notice of intention to sell said bonds and authorizing the selection of underwriters and the execution and delivery of bond purchase agreements; approving the form and authorizing the execution and delivery of continuing disclosure certificates; approving the form and authorizing the distribution of the preliminary official statement and authorizing the execution, delivery, and distribution of the official statement for the Series 2011 R1 Bonds; authorizing payment of costs of issuance of said bonds; approving modifications to documents; ratifying actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the bonds and the refunding of certain outstanding General Obligation Bonds.

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED on Page 30, beginning on Line 14, by adding 'Branch Library Faciliies Improvements (11/7/00) - 2002B (23,135,000), 2005G (34,000,000), 2008A (31,065,000)'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chu, seconded by Supervisor Elsbernd, moved that this Resolution be RE-REFERRED AS AMENDED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111023 [Interconnection Agreements - Renewable Energy Generating Facilities]

Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into two long term interconnection agreements for renewable energy generating facilities, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

Resolution No. 441-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111033 [Owner Controlled Insurance Program Amendment - Laguna Honda Hospital Replacement Program - Not to Exceed $17,323,400]

Sponsor: Elsbernd

Resolution authorizing the Director of Public Works to execute an amendment to the Owner Controlled Insurance Program for the Laguna Honda Hospital Replacement Program from $15,382,933 to $17,323,400.
(Fiscal Impact.)

Resolution No. 442-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111087 [Multifamily Housing Revenue Bonds, Series 2011B - Fell Street Apartments - Not to Exceed $8,100,000]

Sponsor: Mirkarimi

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $8,100,000 for the purpose of providing financing for the acquisition and rehabilitation of an 82 unit multifamily rental housing project, known as Fell Street Apartments; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

Resolution No. 436-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

111032 [Free MUNI Fast Pass for Youth]

Sponsors: Campos; Avalos, Cohen, Kim, Mar, Mirkarimi and Chiu

Resolution urging government agencies to work together to develop a free MUNI Fast Pass for San Francisco youth.

Resolution No. 445-11

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Recommendation of the Land Use and Economic Development Committee

110590 [Planning Code - Reconstruction of Buildings Damaged or Destroyed by Fire or Acts of God]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code Sections 181(d) and 188(b) to: 1) provide a process for the reconstruction of buildings damaged or destroyed by fire or acts of God; 2) provide a retroactive operative date of August 1, 2009; and 3) adopt findings, including environmental findings and Planning Code Section 302 findings.

Supervisor Cohen, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to November 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Public Safety Committee

110221 [Administrative Code - Community Policing]

Sponsors: Campos; Mirkarimi, Cohen, Mar, Avalos, Kim and Chiu

Ordinance amending the San Francisco Administrative Code by adding Section 2A.83 to: 1) set a policy of community policing in the City and County of San Francisco; 2) define community policing; and 3) urge the Police Commission and Chief of Police to review and as necessary amend the Police Department's policies and procedures for consistency with the community policing policy.

Supervisors Kim and Chiu requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Elsbernd

110348 [Health Code - Biological Agent Detector Registration and Fees]

Sponsor: Chiu

Ordinance amending the San Francisco Health Code by adding Article 35 to create a registration scheme, fees, and other requirements for Biological Agent Detectors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

110969 [Agreement - Owners' Association - Administration/Management of Civic Center Community Benefit District]

Sponsor: Kim

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based Community Benefit District known as the "Civic Center Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code.

Resolution No. 443-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110738 [Public Hearing - Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]

Sponsor: Mirkarimi

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the sponsor. Male Speaker; Daniel Landry; Randell Evans; expressed various concerns relating to the district. There were no other speakers.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to December 13, 2011.

Committee of the Whole Adjourn and Report

110739 [Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]

Sponsor: Mirkarimi

Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Cohen, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mirkarimi introduced, welcomed, and presented Certificates of Honor to Pierre Pegeron, Gustavo Manzanares, and the Lower Haight Merchants and Neighbors Association for their heroic actions during the recent fire at 493 Haight Street. Joanne Hayes-White, Fire Chief, shared in this recognition.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to former Executive Director, Fred Blackwell, of the Redevelopment Agency, in recognition of his 5 years of service. Supervisors Avalos, Campos, and Mirkarimi shared in this recognition.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the friends and family of the late Paul Gilman in recognition of his accomplishments and community support. Supervisor Chiu shared in this recognition.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Elsbernd was noted absent at 4:10 p.m. and noted present at 4:52 p.m.
Supervisor Mirkarimi was noted absent at 4:10 p.m. and noted present at 4:15 p.m.
Supervisor Farrell was noted absent at 4:10 p.m. and noted present at 5:17 p.m.
Supervisor Campos was noted absent at 4:10 p.m. and noted present at 4:19 p.m.
Supervisor Kim was noted absent at 4:25 p.m. and noted present at 4:39 p.m.
Supervisor Wiener was noted absent at 5:21 p.m. and noted present at 5:33 p.m.
Supervisor Elsbernd was noted absent at 5:33 p.m. and noted present at 5:54 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; spoke expressing support for OccupySF.
Reggie Monk; spoke expressing support for OccupySF
Female Speaker; spoke expressing support for OccupySF.
Elizabeth Freely; expressed various concerns relating to abortion.
Male Speaker; spoke expressing support for OccupySF.
Magick; spoke expressing support for OccupySF.
Diamond Dave; spoke expressing support for OccupySF.
Male Speaker; expressed various concerns relating to nutrition.
Sean Simmons; spoke expressing support for OccupySF.
Peter Merchini; spoke expressing support for OccupySF.
Cody; spoke expressing support for OccupySF.
Male Speaker; spoke expressing support for OccupySF.
Louie Vitale; spoke expressing support for OccupySF.
Michael Goldman; spoke expressing support for OccupySF.
Andy Blue; spoke expressing support for OccupySF.
Male Speaker; spoke expressing support for OccupySF.
Male Speaker; spoke expressing support for OccupySF.
Robert Benson; spoke expressing support for OccupySF.
Forrest Schmidt; spoke expressing support for OccupySF.
Diedre Auglin; spoke expressing support for OccupySF.
Howard Williams; spoke expressing support for OccupySF.
Jim Hobson; spoke expressing support for OccupySF.
Barbara Commins; spoke expressing support for OccupySF.
Art Persiko; spoke expressing support for OccupySF.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; spoke expressing support for OccupySF.
Aaron Knight; spoke expressing support for OccupySF.
Male Speaker; spoke expressing support for OccupySF.
Denzell Rashey; spoke expressing support for OccupySF.
Bill Peterson; spoke expressing support for OccupySF.
Male Speaker; spoke expressing support for OccupySF.
Susan Church; expressed various concerns relating to abortion.
Ryan Audreola; spoke expressing support for OccupySF.
Terry Joan Baum; spoke expressing support for OccupySF.
Carolyn Myers; spoke expressing support for OccupySF.
Carla Gottchalk; spoke expressing support for OccupySF.
Tim Hart; spoke expressing support for OccupySF.
Larry Felson; spoke expressing support for OccupySF.
Male Speaker; spoke expressing support for OccupySF.
Michael Leanos; spoke expressing support for OccupySF.
Eugene Gordon Jr.; expressed various concerns.
Alysabeth Alexander; spoke expressing support for OccupySF.
Sarah Schrader; expressed various concerns relating to Medical Cannabis.
Hunter Hallman; spoke expressing support for OccupySF.
Mecham; spoke expressing support for OccupySF.
Mesha; spoke expressing support for OccupySF.
Cory Cunningham; spoke expressing support for OccupySF.
Susan Adams; spoke expressing support for OccupySF.
Joseph Demears; spoke expressing support for OccupySF.
Carol Harvey; spoke expressing support for OccupySF.
Charley Pappas; spoke expressing support for OccupySF.

Mary Sanders; spoke expressing support for OccupySF.
Ve Wynn; spoke expressing support for OccupySF.
Male Speaker; expressed various religious concerns.
Brian Rugby; spoke expressing support for OccupySF.
Male Speaker; spoke expressing support for OccupySF.
Philip Oje; spoke expressing support for OccupySF.
Peter Warfield; expressed concerns relating to the SF Public Library.
Edmond Juicye; expressed various concerns.
Alex; spoke expressing support for OccupySF.
Ewan Mello; spoke expressing support for OccupySF.
Male Speaker; spoke expressing support for OccupySF.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111086 [Golden Gate Valley Branch Library Grand Reopening]

Sponsor: Farrell

Resolution recognizing the grand reopening of the Golden Gate Valley Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to the City and County of San Francisco and its residents.

Resolution No. 446-11

ADOPTED

111088 [Designation of Authority Related to the California Housing and Community Development Infill Infrastructure Grant]

Sponsor: Mayor

Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to execute any documents necessary to participate in the State Infill Infrastructure Grant Program in accordance with the executed standard agreement with the California State Department of Housing and Community Development as authorized by Resolution No. 492-10.

Resolution No. 437-11

ADOPTED

111089 [Recognizing the Completion and Celebrating the Reopening of McCoppin Square Park]

Sponsors: Chu; Elsbernd

Resolution recognizing the completion of the McCoppin Square rebuild project and celebrating the grand reopening of the park and playground.

Supervisor Elsbernd requested to be added as a co-sponsor.

Resolution No. 447-11

ADOPTED

111091 [Approval of a 60-Day Extension for Planning Commission Review of Self-Service Restaurants, Retail Coffee Stores, and Video Stores (File No. 110152)]

Sponsor: Mirkarimi

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110152) that would amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; and 7) making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 444-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 111061 be severed so that it may be considered separately.

111061 [Urging Governor Jerry Brown to Support Assembly Bill 438 - Protect Public Libraries from for-Profit Corporation Takeovers]

Sponsor: Avalos

Resolution urging Governor Jerry Brown to support and implement Assembly Bill 438 that protects public libraries from for profit corporate takeovers.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111101 [Administrative, Business and Tax Regulations, Fire, Health, and Police Codes - Business License Fees]

Sponsor: Chiu

Ordinance amending various sections of the San Francisco Business and Tax Regulations Code, Administrative Code, Fire Code, Health Code, and Police Code to: 1) establish March 31 as the date for the annual renewal of certain business licenses; 2) apply a schedule of penalties for failure to timely renew certain business licenses; 3) require Departments to post current business license fees on their websites; and 4) to recategorize certain Health Code fees to reflect actual inspection costs. (Treasurer-Tax Collector)

10/18/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/17/2011.

111102 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Compensation Paid to Individuals With a Felony Conviction]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a Payroll Expense Tax exclusion for compensation paid to individuals who have a felony conviction.
(Fiscal Impact)

10/18/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/17/2011.

111103 [De-Appropriating $17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds from Various Voter-Approved Projects and Re-Appropriating to Other Voter-Approved Projects]

Sponsor: Mayor

Ordinance de-appropriating $17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond proceeds, Series 2008A, which were appropriated upon sale of the second issuance to specific voter-approved projects and re-appropriating $17,080,000 to other, voter-approved projects.

10/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111104 [Health Code - Regulating Commercial Dog Walkers on Park Property]

Sponsor: Wiener

Ordinance amending the San Francisco Health Code by adding Article 39, Sections 39.01 through 39.13, to license and regulate Commercial Dog Walkers operating on park property.

10/18/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/17/2011.

111105 [Interdepartmental Jurisdictional Transfer of Property - 341 Corbett Avenue]

Sponsor: Wiener

Ordinance transferring jurisdiction of certain unimproved real property located at 341 Corbett Avenue (Block No. 2659, Lot No. 059), between 19th Street and Danvers Street, from the Mayor's Office of Housing to the Department of Public Works.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111108 [Street Vacation Portion of 19th Street Adjacent to Mission Dolores Park]

Sponsor: Wiener

Ordinance ordering the vacation of a portion of 19th Street located at the western intersection of 19th and Dolores Streets adjacent to Mission Dolores Park; approving the jurisdictional transfer of such portion of public right-of-way and other portions of 19th Street bisecting Mission Dolores Park, previously vacated by Board of Supervisors, from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

111106 [Street Vacation - Portion of 19th Street Adjacent to and in Mission Dolores Park]

Sponsor: Wiener

Resolution declaring the intention of the Board of Supervisors to vacate a portion of 19th Street located at the western intersection of 19th and Dolores Streets adjacent to Mission Dolores Park; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111109 [Urging the United States Government to Reduce the Military Budget]

Sponsors: Avalos; Mar

Resolution urging the United States government to reduce the military budget, end the wars in Iraq and Afghanistan, and redirect the savings for domestic needs.

10/18/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111110 [Placing Funds for Defense of Special Circumstances Cases on Controller Reserve and Establishing Release Guidelines]

Sponsor: Campos

Resolution placing funds intended for defense of special circumstances cases on Controller reserve and adopting guidelines for release of such funds.

10/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111111 [California Constitution Appropriations Limit for FY2011-2012]

Sponsor: Chu

Resolution establishing the appropriations limit for FY2011-2012 pursuant to California Constitution Article XIII(B).

10/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111112 [Accept and Expend Grant - TransitionSF, Enhanced Job Training Demonstration - $5,724,203]

Sponsors: Mayor; Chu

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $5,724,203 from the Department of Labor for TransitionSF.

10/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111113 [Accept and Expend Gift - Balboa Park Improvement Project - Valued Up to $2,500,000]

Sponsors: Mayor; Avalos

Resolution accepting and expending a gift valued up to $2,500,000 from The Trust for Public Land to the Recreation and Park Department for the Balboa Park Improvement Project.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111116 [Ground Lease - Redevelopment Agency Land - 25 Essex Street, Commonly Known as Rene Cazenave Apartments]

Sponsor: Kim

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 25 Essex Street, Assessor's Block No. 3749, Lot No. 064, southeast corner of Folsom and Essex Streets, commonly known as Rene Cazenave Apartments, in the Transbay Redevelopment Project Area, to 25 Essex L.P., a California limited partnership, for 75 years for the purpose of developing housing for very low-income formerly homeless residents.

10/18/11; RECEIVED AND ASSIGNED to Board of Supervisors.

111117 [Approval of the Ryan White HIV Emergency Relief Grant Program Application]

Sponsors: Mayor; Wiener

Resolution authorizing the San Francisco Department of Public Health to submit an application to continue to receive funding for the "HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A)" Grant from the Health Resources Services Administration, requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area from March 1, 2012, through February 28, 2013.

10/18/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111118 [Food Day - October 24, 2011]

Sponsors: Chiu; Mar and Mirkarimi

Resolution supporting the efforts of Food Day on October 24, 2011, in the City and County of San Francisco.

10/18/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111120 [Approval of a 30-Day Extension for Planning Commission Review of Rezoning of 312 Connecticut Street (File No. 110845)]

Sponsor: Cohen

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110845) amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/18/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111121 [Urging the Planning Commission to Initiate and Consider Amendments to the General Plan Concerning the SFMOMA Expansion/Fire Station Relocation and Housing Project]

Sponsor: Kim

Resolution urging the Planning Commission to initiate and consider amendments to Map 2 of the Community Facilities Element of the San Francisco General Plan as part of the SFMOMA Expansion/Fire Station Relocation and Housing Project (676 Howard Street and 935 Folsom Street).

10/18/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111122 [Urging Preference to Certified Organic Food Vendors]

Sponsors: Mar; Campos and Avalos

Resolution urging the City and County of San Francisco to give preference to certified organic food vendors and to urge the federal government to label and test genetically engineered foods, as well as to assign liability to the commercial developers of genetically engineered technology.

10/18/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

111119 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2011, Consolidated Municipal Election]

Sponsor: Chiu

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2011, Consolidated Municipal Election.

10/18/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111124 [2012 Board of Supervisors Regular Meeting Schedule]
Motion establishing the 2012 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 3, January 17, February 21, May 29, October 9, November 13, and November 27; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 1 through August 31, and December 12 through December 31. (Clerk of the Board)

10/18/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

111107 [Hearing - Street Vacation Order and Jurisdictional Transfer - Portion of 19th Street Adjacent to Mission Dolores Park]
Hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of a portion of 19th Street located at the western intersection of 19th and Dolores Streets adjacent to Mission Dolores Park; approving the jurisdictional transfer of such portion of public right-of-way and other portions of 19th Street bisecting Mission Dolores Park, previously vacated by Board of Supervisors, from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Clerk of the Board)

10/18/11; RECEIVED AND ASSIGNED to Board of Supervisors.

111123 [Hearing - Update on Ordinance No. 147-07- Community Choice Aggregation]
Sponsor: Campos
Hearing on the update from the Public Utilities Commission regarding Ordinance No. 147-07 on Community Choice Aggregation and their Term Sheet to move this program forward.

10/18/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

111067 [Administrative Code - Updating Job Classifications and Bargaining Units]
Ordinance amending the San Francisco Administrative Code Sections 16.200 through 16.222 to reflect changes in job classifications. (Human Resources Department)

10/03/11; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/17/2011.

111099 [Settlement of Lawsuit - Damian Fleming - $70,000]
Ordinance authorizing settlement of the lawsuit filed by Damian Fleming against the City and County of San Francisco for $70,000; the lawsuit was filed on July 14, 2010, in San Francisco Superior Court, Case No. CGC 10-501543, entitled Fleming v. City and County of San Francisco. (City Attorney)

10/07/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

111068 [Street Artist Spaces - Grant Avenue, O'Farrell to Sutter Streets]

Resolution approving re-designation of 22 selling spaces on Grant Avenue, O'Farrell to Sutter Streets, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulation of Police Code Section 2405(c)(8)(2) prohibiting selling adjacent to a yellow zone. (Arts Commission)

10/04/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111094 [Memorandum of Understanding Amendment - Alameda County Resource Conservation District - Not to Exceed $775,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the first amendment to the Memorandum of Understanding with the Alameda County Resource Conservation District for an amount not to exceed $775,000 and with a total duration of 14 years, pursuant to Charter Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

10/05/11; RECEIVED FROM DEPARTMENT.

10/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111095 [Conveyance of Easement - Silicon Valley Power - Bay Division Pipeline Nos. 3 and 4 Crossovers Project - Santa Clara]

Resolution 1) approving and authorizing conveyance of a perpetual, nonexclusive easement to Silicon Valley Power, a division of the City of Santa Clara, at no charge, for the installation, construction, operation, inspection, maintenance, repair, and replacement of electrical facilities, including underground cable, a transformer and a meter in City's real property at the Guadalupe River site off Lick Mill Boulevard in the City of Santa Clara, to provide electrical power required for the Bay Division Pipeline Nos. 3 and 4 Crossovers Project No. CUW38001; 2) adopting findings under the California Environmental Quality Act; 3) adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 4) authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

10/07/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
1825 Post

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southeast corner of Oak and Broderick
Northeast corner of Haight and Steiner
Southwest corner of Ashbury and Hayes
Southwest corner of Hayes and Scott
Northwest corner of Waller and Steiner
Southwest corner of Haight and Clayton
Southeast corner of Masonic and Hayes
Southeast corner of Haight and Masonic

San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Fillmore and Geary
Southeast corner of Hayes and Divisadero

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Northeast corner of Haight and Steiner
Northeast corner of Buchanan and Post
Southeast corner of Post and Webster
1825 Post
2250 Hayes

Advertisers
533 Parnassus
Northwest corner of Fillmore and Geary
Northwest corner of Hayes and Fillmore

Western Edition HP Journals
Northeast corner of Fulton and Laguna
Southeast corner of Webster and Post

USA Today
Southeast corner of Buchanan and Post

Jobs and Careers
Northwest corner of Fillmore and Geary

1825 Post

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Northwest corner of Grove and Fillmore
Northwest corner of Hayes and Fillmore
Southwest corner of Baker and Hayes
Northeast corner of Haight and Octavia

Mailboxes
Northeast corner of Buchanan and Haight
Southeast corner of Ellis and Laguna
Northwest corner of McAllister and Fillmore
Southeast corner of Masonic and Hayes
Southwest corner of Ashbury and Hayes
Southwest corner of Fillmore and Oak
Northeast corner of Buchanan and Haight
Northwest corner of Octavia and Hermann
Northeast corner of Octavia and Page

Fire Hydrants
1550 Fell
Southwest corner of Haight and Octavia

Public Wall
Eastern-most section of the Panhandle, on statue

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Southeast corner of Fell and Buchanan
Approximately 598 Linden
Northwest corner of Bush and Laguna
Southeast corner of Buchanan and Post
Southwest corner of McAllister and Fillmore
Northwest corner of Webster and Grove
Southeast corner of Buchanan and Fell
Southwest corner of Haight and Scott

Bus Shelters
Southwest corner of Central and Hayes
Southeast corner of Hayes and Divisadero
Northwest corner of Scott and Hayes
Southeast corner of Divisadero and Haight
Southwest corner of Buena Vista east and Haight
Southwest corner of Fillmore and Fulton
Southwest corner of Hayes and Fillmore
Southwest corner of Steiner and Haight
Southwest corner of Scott and Hayes
Southwest corner of Oak and Fillmore

Emergency Boxes
Southwest corner of Oak and Broderick
Southwest corner of Pierce and Page

Parking and Traffic Signs
399 Steiner
Northeast corner of Ellis and Laguna
Southeast corner of Eddy and Laguna
Northwest corner of Hemlock and Laguna
Approximately 1880 Laguna

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
332 Haight
Approximately 310 Haight
Southeast corner of Birch and Laguna
Northeast corner of McAllister and Laguna
847 Fillmore
823 Fillmore
445 Fillmore
Southeast corner of Fillmore and Page
Northwest corner of Haight and Buchanan
Southeast corner of Page and Laguna
Southeast corner of Page and Fillmore
1007 Haight
Approximately 225 Broderick
Northwest corner of Central and Hayes

Concrete Poles
Opposite 1255 Oak
1970 Fell
On Webster near McAllister Street, west side of street

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings
216 Steiner
367 Haight
500 Oak
Northeast corner of Geary and Laguna
1596 Post, on west side
1710 Bush
Approximately 1450 Geary
1601 Geary, on south side
546 Fillmore
550 Fillmore
501 Fillmore, on south side
1948 Fell
1892 Fell, on north side

1698 Fell, metal pole on Southeast side of property
448 Scott
821 Page
799 Haight, on Scott street
690 Page, on the wall
501 Haight, on the Oak street side
Northeast corner of Steiner and Page
507 Divisadero
534 Divisadero
538 Divisadero
542 Divisadero

Vacant Lot
Opposite 1273 Hayes

Billboard
Opposite 1273 Hayes

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:

Sidewalk Dumpings
Southwest corner of Octavia and Hickory
Southwest corner of Rose and Octavia
Opposite 140 Haight

Dangerous Sidewalks
95 Gough
Approximately 1415 Steiner
1801 Broderick
1632 Broderick
Approximately 1602 Broderick
1842 Divisadero
1259 17th Avenue

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Southeast corner of Oak and Octavia
Southeast corner of 9th Avenue and Irving
Southeast corner of Ivy and Octavia
Southwest corner of Lily and Octavia
Southwest corner of Hickory and Octavia
Southeast corner of Broderick and California

Bus Shelter
Northwest corner of Laguna and Haight

Emergency Boxes
Northwest corner of Fell and Octavia
Southeast corner of Fillmore and Page
Southwest corner of Broderick and California

2725 California

Parking Meter
1818 Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings
Northwest corner of Lily and Octavia
1726 Haight
1708 Haight
1556 Haight
921 Haight
428 Grove, on east side
653 Irving, on west side
1800 Irving, on east side
179 Haight, on west side
367 Haight
1707 Market
1695 Market
75 Gough
500 Fillmore, on south side
501 Fillmore, on south side
546 Fillmore
350 Laguna
2829 California
1655 Divisadero
1245 Divisadero
860 Divisadero

Parking Lot
1721 Scott

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Southwest corner of Bush and Divisadero

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Northwest corner of Steiner and Waller
Northwest corner of Page and Octavia
Northeast corner of Haight and Stanyan
1614 Haight
Southeast corner of Buena Vista west and Haight
783 Haight
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner
Northwest corner of Fillmore and Hayes
Northeast corner of Stanyan and Haight
Northeast corner of Shrader and Haight
Southwest corner of Clayton and Haight
Southeast corner of Haight and Ashbury
Southwest corner of Haight and Divisadero

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of 19th Avenue and Lincoln
Approximately 1860 Haight
Northeast corner of Shrader and Haight
Northeast corner of Cole and Haight
Southwest corner of Haight and Divisadero
Northeast corner of Haight and Masonic
Northwest corner of Page and Octavia
Approximately 425 Grove
Northeast corner of Haight and Steiner
Northwest corner of Bush and Divisadero
Southwest corner of Geary and Divisadero

Advertisers
Southwest corner of Divisadero and California
Southwest corner of Bush and Divisadero

Sing Tao
Northwest corner of Irving and Funston

USA Today
1750 Divisadero

Auto Weekly
Northwest corner of Irving and Funston

Multi-Unit Sidewalk News Rack
Northeast corner of 9th Avenue and Irving

Jobs and Careers
1750 Divisadero
Southwest corner of O'Farrell and Divisadero

Western Edition HP Journal
Southwest corner of Geary and Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
1265 19th Avenue
Northwest corner of Oak and Octavia
Southeast corner of Lily and Octavia
Northwest corner of Fell and Octavia
Southwest corner of Fell and Octavia

1700 Market
1710 Market
75 Gough
278 Page
295 Page
1807 Scott
1861 Scott
Opposite 2704 California
1801 Broderick
Opposite 1726 Divisadero
Northwest corner of Sutter and Divisadero
Northeast corner of Buchanan and Page

Wood Poles
Northwest corner of Rose and Gough
430 Fillmore
2725 California

Concrete Pole
Southwest corner of 3rd Avenue and Irving

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Southeast corner of 19th Avenue and Lincoln
Southeast corner of Lyon and Haight
Northeast corner of Fillmore and Hayes
Southwest corner of Carl and Stanyan
Northwest corner of Waller and Octavia
Northeast corner of O'Farrell and Scott
Approximately 1475 Divisadero

Mailboxes
Northeast corner of Buchanan and Haight
Southeast corner of Oak and Fillmore

Recreation and Park Structure
Westernmost turnstile exit, at Kezar Stadium

Fire Hydrants
Approximately 1706 Market
Northeast corner of Haight and Lyon
Southwest corner of Gough and Market

Parking and Traffic Sign
Southwest corner of Lincoln and 3rd Avenue

FedEx Mailbox
821 Irving

In Memoriams

Pina Caltagirone - Supervisors Chu, Elsbernd
Howard Grayson - Board President Chiu, Supervisors Campos, Mirkarimi
Thomas Scanlon - Supervisor Elsbernd
Henry Earliest Carter - Supervisor Cohen
Paul Gilman - Supervisor Kim

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:33 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 22, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEP

DEC 3 0 2011

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PUBLIC LIBRARY

Tuesday, October 25, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	**Meeting Days**
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 38

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 20, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

110903 [Administrative Code - Nonprofit Annual Economic Statement]

Ordinance amending the San Francisco Administrative Code Section 10.1 to allow Nonprofits receiving City funding to provide and update information directly to City Departments as an alternative to filing annual economic statements with the City Administrator. (City Administrator)

Ordinance No. 213-11

FINALLY PASSED

111051 [Accept and Expend Grant - Electric Vehicle Charging Station Program and Amendment to the Annual Salary Ordinance for FY2011-2012 - $100,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend funds in the amount of $100,000 from Coulomb Technologies, Inc., to provide administrative and outreach services for a program to install electric vehicle charging stations in multiple-dwelling units and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant funded position at the Department of the Environment.

Ordinance No. 214-11

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

111068 [Street Artist Spaces - Grant Avenue, O'Farrell to Sutter Streets]

Resolution approving re-designation of 22 selling spaces on Grant Avenue, O'Farrell to Sutter Streets, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulation of Police Code Section 2405(c)(8)(2) prohibiting selling adjacent to a yellow zone. (Arts Commission)

Resolution No. 454-11

ADOPTED

Recommendation of the Public Safety Committee

110348 [Health Code - Biological Agent Detector Registration and Fees]

Sponsor: Chiu

Ordinance amending the San Francisco Health Code by adding Article 35 to create a registration scheme, fees, and other requirements for Biological Agent Detectors.

Ordinance No. 211-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the Consent Agenda

Supervisor Chu requested that File No. 110968 be severed so that it may be considered separately.

Recommendation of the Land Use and Economic Development Committee

110968 [Changing the Street Name of a Portion of La Playa to Great Highway]

Sponsor: Chu

Resolution authorizing a street name change on a portion of La Playa Street between Lawton Street and Kirkham Street to "Great Highway" to correct a discrepancy in dual street names and eliminate confusion in delivering public services.

Resolution No. 453-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

110899 [Administrative Code - False Advertising by Limited Services Pregnancy Centers]

Sponsors: Cohen; Chiu, Wiener, Kim, Chu, Mar, Campos and Avalos

Ordinance amending the San Francisco Administrative Code by adding Chapter 93, Sections 93.1 through 93.5, to prohibit limited services pregnancy centers from making false or misleading statements to the public about pregnancy-related services the centers offer or perform.

Ordinance No. 212-11

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Elsbernd

Recommendation of the Public Safety Committee

110221 [Administrative Code - Community Policing]

Sponsors: Campos; Mirkarimi, Cohen, Mar, Avalos, Kim and Chiu

Ordinance amending the San Francisco Administrative Code by adding Section 2A.83 to: 1) set a policy of community policing in the City and County of San Francisco; 2) define community policing; and 3) urge the Police Commission and Chief of Police to review and as necessary amend the Police Department's policies and procedures for consistency with the community policing policy.

Ordinance No. 210-11

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

111048 [Appropriating $1,000,000 of Mirant Potrero, LLC, Settlement Funds to the Department of Public Health for Neighborhood Improvement and Mitigation in FY2011-2012]

Sponsor: Cohen

Ordinance appropriating $1,000,000 of Mirant Potrero, LLC, settlement funds to the Department of Public Health for neighborhood improvement and mitigation in the neighborhoods most impacted by the Potrero Power Plant in FY2011-2012.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110372 [Contract Amendment - San Francisco General Hospital - Emergency Electrical Generation System - Not to Exceed $20,500,000]

Resolution authorizing the Director of Public Works to execute an amendment to the emergency public work contract to install a new, permanent emergency electrical generation system at San Francisco General Hospital to increase the not to exceed amount from $18,000,000 to $20,500,000. (Public Works Department)

Resolution No. 449-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Government Audit and Oversight Committee

110796 [Board Response to the 2010-2011 Civil Grand Jury Report entitled "Hunters Point Shipyard: A Shifting Landscape"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Hunters Point Shipyard: A Shifting Landscape" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 450-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110816 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Log Cabin Ranch Moving Towards Positive Horizons"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Log Cabin Ranch Moving Towards Positive Horizons" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 451-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110908 [Urging the Municipal Transportation Agency to Halt Action on the Transfer of Credit Card Charges to Taxi Cab Drivers]

Sponsor: Campos

Resolution urging the San Francisco Municipal Transportation Agency to reconsider and abandon the decision to shift the burden of credit card merchant charges to the city cab drivers. (Supervisor Farrell dissented in Committee.)

Resolution No. 452-11

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

From the Government Audit and Oversight Committee Without Recommendation

111030 [Administrative Code - Health Care Security Ordinance]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 3) require employers imposing surcharges to pay for the required expenditures to report certain information to OLSE in connection with the surcharge; 4) add an employee notification requirement; 5) modify penalty provisions; and 6) set an operative date.

Supervisor Cohen, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to November 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Land Use and Economic Development Committee

110995 [Mission Bay South Blocks 41-43, Phase 2 - Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 41-43, Phase 2, including acquisition facilities on Owens Street and within public utility easements in private streets; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating Owens Street and improvements for street and roadway purposes; establishing street grades and sidewalk widths on Owens Street; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110996 [Mission Bay Park Block P16 - Improvements]

Ordinance dedicating City property and portions of State Trust Parcels 4 and 5, known as Mission Bay Park Block P16, lying along Third Street, Mission Bay Boulevard North, and Mission Bay Boulevard South for public use and naming the new park "Mission Bay Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Elsbernd was noted absent at 3:41 p.m. and noted present at 4:11 p.m.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Farrell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

RESTAURANT APPRECIATION MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support as referenced below:

Supervisor Mar recognized Namu; and
Supervisor Farrell recognized A16; and
Supervisor Chiu recognized Il Cane Rosso; and
Supervisor Chu recognized Outerlands Cafe; and
Supervisor Mirkarimi recognized Villa Romana; and
Supervisor Kim recognized Tin; and
Supervisor Campos recognized Mission Pie; and
Supervisor Wiener recognized Café XO; and
Supervisor Cohen recognized Poquito; and
Supervisor Avalos recognized Yama Sushi; and
Jason Elliott, representing on behalf of Mayor Lee, recognized Limon Rotisserie.

Luke O'Brien, President, Small Business Commission, shared in these recognitions.

SPECIAL ORDER 4:00 P.M.

Supervisor Mirkarimi was noted absent at 5:44 p.m. for the remainder of the meeting.

110950 [Conditional Use Appeal - 4141 Geary Boulevard/450 - 6th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 28, 2011, Conditional Use Authorization identified as Planning Case No. 2010.0951C, by its Motion No. 18415, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of nine panel antennas and related equipment on an existing mechanical penthouse on the roof of a five-story publicly used structure (Kaiser Hospital) as part of Verizon's wireless telecommunications network within the RM-1 (Mixed, Low Density) and NC-3 (Neighborhood Commercial, Moderate Scale) Zoning Districts, and a 80-E Height and Bulk District, on property located at 4141 Geary Boulevard/450 - 6th Avenue, Assessor's Block No. 1539, Lot No. 003. (District 1) (Filed by Sandra Fen Ng on behalf of the San Francisco Tomorrow and subscribed by Supervisors Mar, Avalos, Chiu, Kim, and Mirkarimi.)
(Filed August 29, 2011; Companion Measure to File Nos. 110951, 110952, and 11953.)

The President inquired as to whether any member of the public wished to address the Board. Jacquelyn Coo (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Female Speaker; Emanuel Garza; Laura Albert; Sofia; Debra Regano; M.J.; Genevieve Ewan; Elaine Moe; Thelma Moorhead; Amy O'Hare; Jennifer Clary; Doug Longherd; Mandy Sullivan; Female Speaker; Male Speaker; Male Speaker; Jacquelyn Lurch; Emily Reed; Matthew Yang; Gene; Female Speaker; Female Speaker; Yen; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Paul Albritton (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Mark Leach; Ron Lee; Gwen Eaton; Seth; Male Speaker; Jose Ricardo; Anne Yuen; Alan Yuen; Nathan Williams; Russ Bentson; spoke in support of the project and in opposition to the appeal. Doug Longherd (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110951 [Approving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion approving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to November 1, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

110952 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to November 1, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

110953 [Preparation of Findings Related to the Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue.

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to November 1, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; spoke expressing support for OccupySF.
Sean Simmons; spoke expressing support for OccupySF.
Walter Paulson; shared in song certain concerns with the Board.
Jeremy Miller; expressed concerns relating to recent arrest of Fly Benzo.
Tracey Bell-Borden; expressed concerns relating to recent arrest of Fly Benzo.
Barbara Banks; expressed concerns relating to recent arrest of Fly Benzo.
Eugene Gordon, Jr.; expressed various concerns.
Brian McCuen; spoke expressing support for OccupySF.
John DiDonna; shared in poem certain concerns with the Board.
Male Speaker; expressed various religious concerns.
Female Speaker; expressed concerns relating to processed foods and support for proposed legislation.
Peter Warfield; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed various concerns.
Male Speaker; spoke expressing support for OccupySF.
Tom Gilberty; expressed concerns relating to noise pollution.
Male Speaker; expressed concerns relating to healthcare.
Larry Felson; expressed concerns relating to recent arrest of Fly Benzo.
Robin Cropp; expressed concerns relating to STD's.
Male Speaker; expressed various concerns.
Dave Schneider; expressed concerns relating to City pride.
Female Speaker; expressed various concerns.
Ruach Graffis; expressed concerns relating to healthcare for taxi cab drivers.
Francisco Da Costa; expressed various concerns.
Ace Washington; expressed various concerns.
Otto Duffy; expressed concerns relating to homelessness.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111117 [Approval of the Ryan White HIV Emergency Relief Grant Program Application]

Sponsors: Mayor; Wiener

Resolution authorizing the San Francisco Department of Public Health to submit an application to continue to receive funding for the "HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A)" Grant from the Health Resources Services Administration, requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area from March 1, 2012, through February 28, 2013.

Resolution No. 457-11

ADOPTED

111118 [Food Day - October 24, 2011]

Sponsors: Chiu; Mar and Mirkarimi

Resolution supporting the efforts of Food Day on October 24, 2011, in the City and County of San Francisco.

Resolution No. 455-11

ADOPTED

111120 [Approval of a 30-Day Extension for Planning Commission Review of Rezoning of 312 Connecticut Street (File No. 110845)]

Sponsor: Cohen

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110845) amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 456-11

ADOPTED

111121 [Urging the Planning Commission to Initiate and Consider Amendments to the General Plan Concerning the SFMOMA Expansion/Fire Station Relocation and Housing Project]

Sponsor: Kim

Resolution urging the Planning Commission to initiate and consider amendments to Map 2 of the Community Facilities Element of the San Francisco General Plan as part of the SFMOMA Expansion/Fire Station Relocation and Housing Project (676 Howard Street and 935 Folsom Street).

Resolution No. 458-11

ADOPTED

111119 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2011, Consolidated Municipal Election]

Sponsor: Chiu

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2011, Consolidated Municipal Election.

Motion No. M11-154

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 111122 be severed so that it may be considered separately.

111122 [Urging Preference to Certified Organic Food Vendors]

Sponsors: Mar; Campos and Avalos

Resolution urging the City and County of San Francisco to give preference to certified organic food vendors and to urge the federal government to label and test genetically engineered foods, as well as to assign liability to the commercial developers of genetically engineered technology.

REFERRED to the Public Safety Committee

Supervisor Chiu requested that File No. 111124 be severed so that it may be considered separately.

111124 [2012 Board of Supervisors Regular Meeting Schedule]

Motion establishing the 2012 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 3, January 17, February 21, May 29, October 9, November 13, and November 27; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 1 through August 31, and December 12 through December 31. (Clerk of the Board)

Supervisor Avalos, seconded by Supervisor Cohen, moved that this Motion be AMENDED on Page 1, Line 5, by adding 'July 3,' before 'October 9'; and on Line 23, by adding 'July 3 (Fourth of July);' before 'October 9'. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

Motion No. M11-155

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Mirkarimi

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111160 [Business and Tax Regulations Code - Revisions to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]

Sponsor: Kim

Ordinance amending the San Francisco Business and Tax Regulations Code Section 906.3-1 to clarify how members of the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area shall be appointed for their initial terms.

10/25/11; RECEIVED AND ASSIGNED to Rules Committee.

111161 [Administrative Code - Study of Crime Lab Services]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Section 1.60, to require the Controller to study and report on providing crime lab services for the City.

10/25/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 11/24/2011.

111162 [Appropriating $3,448,827 of State Revenue Loss Reserves and Federal Revenues for Adult Day Health Centers at the Human Services Agency - FY2011-2012]

Sponsors: Mayor; Kim, Chiu, Mirkarimi and Mar

Ordinance appropriating $3,370,001 of State revenue loss reserves and $78,826 of Adult Protective Services federal match revenues to provide one-time bridge funding to Adult Day Health Centers, through the Human Services Agency, in order to mitigate state cuts in FY2011-2012. (Fiscal Impact)

10/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111108 [Street Vacation Portion of 19th Street Adjacent to Mission Dolores Park]

Sponsor: Wiener

Ordinance: 1) ordering the vacation of a portion of 19th Street located in Mission Dolores Park and at the western intersection of 19th and Dolores Streets adjacent to Mission Dolores Park; 2) approving the jurisdictional transfer of such portions of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 4) authorizing official acts in connection with this Ordinance.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/25/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

110931 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Continuity Reports Reviewing the State of Prior Recommendations]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Continuity Reports Reviewing the State of Prior Recommendations. (Clerk of the Board)

07/14/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111163 [Balboa Park Station Community Advisory Committee]

Sponsor: Avalos

Resolution establishing the Balboa Park Station Community Advisory Committee for providing input and community oversight relating to area improvements and renovations.

10/25/11; RECEIVED AND ASSIGNED to Rules Committee.

111164 [Supporting the Occupy Wall Street Protest Movement and the People's Right to Peaceful Assembly]

Sponsors: Avalos; Campos, Kim and Mar

Resolution supporting the Occupy Wall Street Protest Movement and urging Mayor Lee to uphold people's right to peaceful assembly and collaborate with OccupySF to ensure the safety of the protestors, their supporters, and the greater public in the City and County of San Francisco.

10/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111165 [Supporting Regulated and Safe Patient Access to Medical Cannabis]

Sponsors: Campos; Mar, Avalos, Chiu, Mirkarimi, Kim and Wiener

Resolution supporting regulated and safe patient access to medical cannabis in the City and County of San Francisco.

10/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111166 [Accept and Expend Grant - Health Impact Assessment for Healthy Sustainable Development - $167,061]

Sponsors: Campos; Mar

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Centers for Disease Control and Prevention, in the amount of $167,061, to fund the Health Impact Assessment for Healthy Sustainable Development for the period September 1, 2011, through August 31, 2012, and waiving indirect costs.

10/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111167 [Agreement - Eastern Neighborhoods Rental Incentive Option - 720 and 740 Illinois Street and 2121 Third Street]

Sponsor: Cohen

Resolution approving an agreement and authorizing the Director of Planning to execute the agreement on behalf of the City and County of San Francisco in order to implement the Eastern Neighborhoods Rental Incentive option under San Francisco Planning Code Section 419.5(b) for the residential development proposed at 720 and 740 Illinois Street and 2121 Third Street (Lot Nos 002 & 006 in Assessor's Block No. 4045).

10/25/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111168 [Accept and Expend Grant - Prevention Training Center Clinical Training Program - $96,121]

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of $96,121 from the University of California, San Francisco, to fund the Prevention Training Center Clinical Training Program for the period of April 1, 2012, through March 31, 2013.

10/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111132 [Ground Lease - Redevelopment Agency Land - 474 Natoma Street]

Sponsor: Kim

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 474 Natoma, Assessor's Block No. 3725, Lot No. 101, to 474 Natoma, LLC, a California limited liability company, an affiliate of BRIDGE Housing Corporation, a California nonprofit public benefit corporation, for 75 years, with an option to extend for 24 years, for the purpose of providing housing for very low-income households.

10/25/11; RECEIVED AND ASSIGNED to Board of Supervisors.

111106 [Street Vacation - Portion of 19th Street Adjacent to and in Mission Dolores Park]

Sponsor: Wiener

Resolution declaring the intention of the Board of Supervisors to vacate a portion of 19th Street located in Mission Dolores Park and at the western intersection of 19th and Dolores Streets adjacent to Mission Dolores Park; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/25/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

111114 [Committee of the Whole - Ground Lease Agreement - 25 Essex Street, Commonly Known as Rene Cazenave Apartments - November 8, 2011]

Sponsor: Kim

Motion scheduling the Board to sit as a Committee of the Whole on November 8, 2011, at 3 p.m., to hold a public hearing on the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 25 Essex Street, Assessor's Parcel No. 064-3749, commonly known as Rene Cazenave Apartments to 25 Essex, L.P., a California limited partnership, consistent with the provisions of the California Community Redevelopment Law Section 33433.

10/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111169 [Adopting Findings Reversing the General Rule Exclusion Determination - 1171 Sansome Street]

Motion adopting findings reversing the Planning Department's determination that a project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review through a general rule exclusion. (Clerk of the Board)

10/25/11; ASSIGNED to Board of Supervisors.

Requests for Hearing

111115 [Hearing - Ground Lease - Redevelopment Agency Land - 25 Essex Street, Commonly Known as Rene Cazenave Apartments]

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 25 Essex Street, Assessor's Block No. 3749, Lot No. 064, southeast corner of Folsom and Essex Streets, commonly known as Rene Cazenave Apartments, in the Transbay Redevelopment Project Area, to 25 Essex L.P., a California limited partnership, for 75 years for the purpose of developing housing for very low-income formerly homeless residents.

10/18/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

111170 [Hearing - Municipal Transportation Agency FY2010-2011 Work Orders Review]
Sponsor: Campos

Hearing on the Controller/City Services Auditor's Review of San Francisco Municipal Transportation Agency FY2010-2011 Work Orders.

10/25/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111171 [Hearing - Potrero/Potrero Annex and Terrace Project Rebuild Status]
Sponsor: Cohen

Hearing on the status of the rebuild Potrero/Potrero Annex and Terrace Project.

10/25/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111131 [Public Hearing - Ground Lease - Redevelopment Agency Land - 474 Natoma Street]

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 474 Natoma, Assessor's Block No. 3725, Lot No. 101, to 474 Natoma, LLC, a California limited liability company, an affiliate of BRIDGE Housing Corporation, a California nonprofit public benefit corporation, for 75 years, with an option to extend for 24 years, for the purpose of providing housing for very low-income households.

10/17/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110930 [Hearing - 2010-2011 Civil Grand Jury Report - Continuity Reports]

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Continuity Reports Reviewing the State of Prior Recommendations. (Clerk of the Board)

07/14/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/17/11; RESPONSE RECEIVED.

08/18/11; RESPONSE RECEIVED.

08/29/11; RESPONSE RECEIVED.

08/31/11; RESPONSE RECEIVED.

09/07/11; RESPONSE RECEIVED.

09/09/11; RESPONSE RECEIVED.

09/19/11; RESPONSE RECEIVED.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

111096 [Contract Amendment - Western Area Power Administration - Electric Services - Not to Exceed $15,950,888]

Ordinance approving the second amendment to the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of the San Francisco Administrative Code Section 21.19 which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of the San Francisco Administrative Code Section 21.35 which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission) (Fiscal Impact)

10/14/11; RECEIVED FROM DEPARTMENT.

10/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
Southwest corner of Cole and Waller
Southwest corner of Divisadero and Haight
Southeast corner of Stanyan and Parnassus
Southwest corner of 5th and Irving
Southwest corner of Stanyan and Carl
Southwest corner of Stanyan and Frederick
2435 California
Northwest corner of Haight and Pierce

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
783 Haight
Northwest corner of Page and Octavia
Southeast corner of Laguna and Page
Southeast corner of Stanyan and Waller
Southeast corner of Buena Vista West and Haight
Southeast corner of Divisadero and Haight
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southwest corner of Divisadero and Haight
Northwest corner of Haight and Pierce
Northeast corner of 4th and Irving

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Northwest corner of Page and Octavia
Southeast corner of Laguna and Page
Northeast corner of Scott and Haight
Southwest corner of Stanyan and Parnassus
Southwest corner of Stanyan and Carl
Southwest corner of California and Fillmore
Northwest corner of Pierce and Haight

Advertiser
533 Parnassus

Common Ground
Southeast corner of Parnassus and Stanyan

Real Estate Times
Southeast corner of Stanyan and Parnassus
Southwest corner of Stanyan and Carl

UC Berkeley Extension
1899 Fillmore

Rental Guide.Com
Southeast corner of Stanyan and Parnassus

Jobs and Careers
707 Parnassus

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Northeast corner of Baker and Haight
Approximately 1000 Haight
Northwest corner of 2nd and Irving
Northeast corner of Carl and Arguello
Southwest corner of Stanyan and Carl
Top of Sunset Tunnel Park, at Clayton
Northeast corner of Willard and Frederick
Northwest corner of Willard and Frederick
1050 McAllister

Mailboxes
Northwest corner of Page and Octavia
Northeast corner of Baker and Haight
Northeast corner of Scott and Haight
Southwest corner of Eddy and Steiner
Northeast corner of Stanyan and Rivoli
Southeast corner of Frederick and Stanyan

Fire Hydrants
1138 Clayton
52 Carl

Public Wall
Opposite of 1860 Geary

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Southeast corner of Octavia and Ivy
Southeast corner of Oak and Octavia
Southeast corner of 5th and Irving
Southwest corner of 4th and Irving

Southeast corner of Frederick and Clayton
Southeast corner of Geary and Webster
Northeast corner of Scott and Waller

Bus Shelters
Approximately 210 Haight
Southeast corner of Buena Vista West and Haight
Northeast corner of Baker and Haight
904 Haight
Northwest corner of Fillmore and Fell
Southeast corner of Fillmore and McAllister
Northeast corner of Fillmore and Hayes
Southeast corner of McAllister and Webster
Northeast corner of Pierce and Hayes
Northeast corner of Webster and Geary
50 Irving
Opposite of 30 Irving

Emergency Boxes
Northeast corner of Lyon and Haight
Approximately 1000 Haight
Northeast corner of 3rd and Irving

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
319 Ivy
Approximately 210 Haight
Approximately 230 Haight
Approximately 250 Haight
Near northwest exit to Kezar Stadium, on Kezar Drive
Northwest corner of Buchanan and Haight
125 Beulah
Northwest corner of Cole and Beulah
1485 Waller
1486 Waller
Southeast corner of Buena Vista West and Haight
1054 Haight
1007 Haight
Approximately 1000 Haight
967 Haight
840 Haight
909 Haight
Northeast corner of Broderick and Haight
937 Haight
930 Haight
924 Haight
1451 Shrader
4966 17th Street
Approximately 116 Rivoli
Northwest corner of Belvedere and Alma
Opposite 126 Grattan
144 Parnassus
1030 Shrader

1103 Shrader
1336 Willard
300 Irving
Northeast corner of Carl and Arguello
1175 Steiner

Wood Poles
Northwest corner of Lyon and Haight
184 Carl

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings
801 Shrader, on north side
1081 Haight
1035 Haight
799 Haight, on Scott Street side
501 Fillmore
1007 Haight
1143 Cole, on south side
1103 Cole, on north side
Opposite 50 Irving
Opposite 30 Irving
1550 Steiner
931 Steiner

Public Restroom
Northwest corner of Stanyan and Waller

Billboard
1710 Market (sidewalk structure)

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation that would provide contract bid preferences to certified B Corporations.

In Memoriams

Diane DeLange - Supervisor Cohen
Ina Gavin - Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:03 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 6, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 1, 2011 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

DEC 3 0 2011

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 106 Number 39

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of September 27, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

Rick Caldeira, Legislative Deputy Director, informed the Board of Supervisors that he was in receipt of correspondence from the Mayor communicating the Mayor's Veto of legislation contained in File No. 110998 which would amend Administrative Code Sections related to the Health Care Security Ordinance.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

111048 [Appropriating $1,000,000 of Mirant Potrero, LLC, Settlement Funds to the Department of Public Health for Neighborhood Improvement and Mitigation in FY2011-2012]

Sponsor: Cohen

Ordinance appropriating $1,000,000 of Mirant Potrero, LLC, settlement funds to the Department of Public Health for neighborhood improvement and mitigation in the neighborhoods most impacted by the Potrero Power Plant in FY2011-2012.
(Fiscal Impact)

Ordinance No. 217-11

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

110995 [Mission Bay South Blocks 41-43, Phase 2 - Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 41-43, Phase 2, including acquisition facilities on Owens Street and within public utility easements in private streets; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating Owens Street and improvements for street and roadway purposes; establishing street grades and sidewalk widths on Owens Street; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 215-11

FINALLY PASSED

110996 [Mission Bay Park Block P16 - Improvements]

Ordinance dedicating City property and portions of State Trust Parcels 4 and 5, known as Mission Bay Park Block P16, lying along Third Street, Mission Bay Boulevard North, and Mission Bay Boulevard South for public use and naming the new park "Mission Bay Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 216-11

FINALLY PASSED

Recommendation of the Public Safety Committee

110883 [Accept and Expend Grant - Mass Notification System Security Improvements - $551,552]

Sponsor: Chiu

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $551,552 from the Department of Homeland Security, 2010 Port Security Grant Program, for Ferry Building and Ferry Terminal Mass Notification System improvements at the Port of San Francisco.

Resolution No. 460-11

ADOPTED

Recommendations of the Rules Committee

111024 [Settlement of Lawsuit - Norman T. Larson, et al. - $122,500]

Ordinance approving settlement of the lawsuit filed by Norman T. Larson, San Francisco Apartment Association, San Francisco Association of Realtors, Coalition For Better Housing, Round Hill Pacific, and John Zanghi (collectively "Larson Petitioners") against the City and County of San Francisco by payment by the City and County of San Francisco to the Larson Petitioners' counsel Nielsen, Merksamer, Parrinello, Gross, and Leoni, LLP, in the amount of $122,500 and other terms; the lawsuit was filed on December 10, 2008, in the San Francisco Superior Court, Case No. 509-083, entitled Larson et al. vs. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

111025 [Settlement of Lawsuit - City to Pay $500 for Sub-Surface Easement in San Mateo County]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; and Does 1 through 100; to condemn and take by right of eminent domain a permanent sub-surface easement of approximately 27,829 square feet in property owned by San Mateo County Transit District, located in Menlo Park, California, commonly known as SBE 872-41-20P; filed June 3, 2010, in San Mateo County Superior Court, Case No. CIV 495644; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; and Does 1 through 100. (City Attorney)

PASSED, ON FIRST READING

111099 [Settlement of Lawsuit - Damian Fleming - $70,000]

Ordinance authorizing settlement of the lawsuit filed by Damian Fleming against the City and County of San Francisco for $70,000; the lawsuit was filed on July 14, 2010, in San Francisco Superior Court, Case No. CGC 10-501543, entitled Fleming v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

110390 [Authorizing Tax Collector to File Suit Against Responsible Relatives of Recipient of Services at City Hospitals to Recover Value of Services]

Resolution authorizing Tax Collector Attorney to file suit against responsible relatives to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

Resolution No. 459-11

ADOPTED

111072 [Appointments, Shelter Monitoring Committee - Simon Martinez, Deborah Muise, and Ramon Lacayo]

Motion appointing Simon Martinez, Deborah Muise, and Ramon Lacayo, terms ending November 23, 2012, to the Shelter Monitoring Committee. (Clerk of the Board)

Simon Martinez, seat 1, succeeding Rita Lark, resigned, must be homeless or formerly homeless within the 3 years prior to appointment and living with their homeless child under age 18, for the unexpired portion of a two-year term ending November 23, 2012.

Deborah Muise, seat 3, succeeding Mary Howe, resigned, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2012.

Ramon Lacayo (residency requirement waived), seat 4, succeeding Amanda Heier, term expired, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for the unexpired portion of a two-year term ending November 23, 2012.

Motion No. M11-156

APPROVED

111097 [Appointments, Immigrant Rights Commission - Kathleen Coll, Mario Paz, Angus McCarthy, Felix Fuentes, Melba Maldonado, and Toye Moses]

Motion appointing Kathleen Coll, Mario Paz, Angus McCarthy, Felix Fuentes, Melba Maldonado, and Toye Moses, terms ending June 6, 2013, to the Immigrant Rights Commission. (Clerk of the Board).

Kathleen Coll, seat 4, succeeding Melba Maldonado, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Mario Paz (residency requirement waived), seat 6, succeeding Lorena Melgarejo, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, the member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Angus McCarthy, seat 7, succeeding Angus McCarthy, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, the member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Felix Fuentes, seat 8, succeeding Felix Fuentes, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, the member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Melba Maldonado (residency requirement waived), seat 10, succeeding Ana Perez, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, the member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Toye Moses, seat 11, succeeding Toye Moses, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Motion No. M11-157

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

Privilege of the floor was granted to Cheryl Adams (City Attorney's Office) who responded to questions raised throughout the discussion relating to File Nos. 110951, 110952, and 110953.

110951 [Approving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion approving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Supervisor Mar, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110952 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Supervisor Mar, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110953 [Preparation of Findings Related to the Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue.

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Supervisor Mar, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Clerk

111169 [Adopting Findings Reversing the General Rule Exclusion Determination - 1171 Sansome Street]

Motion adopting findings reversing the Planning Department's determination that a project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review through a general rule exclusion. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to November 8, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Government Audit and Oversight Committee Without Recommendation

111030 [Administrative Code - Health Care Security Ordinance]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 3) require employers imposing surcharges to pay for the required expenditures to report certain information to OLSE in connection with the surcharge; 4) add an employee notification requirement; 5) modify penalty provisions; and 6) set an operative date.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Sections 14.1.5 and 14.1.6 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to a health reimbursement account remain available to the employee for two years; rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

Supervisor Cohen requested to be added as a co-sponsor.

Privilege of the floor was granted to Jason Elliot (Mayor's Office) who responded to questions raised throughout the discussion.

Supervisor Cohen, seconded by Superviosr Chiu, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to November 15, 2011, with the Board sitting as a Committee of the Whole. The motion carried by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

Recommendation of the Land Use and Economic Development Committee

110590 [Planning Code - Reconstruction of Buildings Damaged or Destroyed by Fire or Acts of God]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code Sections 181(d) and 188(b) to: 1) provide a process for the reconstruction of buildings damaged or destroyed by fire or acts of God; 2) provide a retroactive operative date of August 1, 2009; and 3) adopt findings, including environmental findings and Planning Code Section 302 findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

110999 [Administrative Code - Financial Policy Regarding Selected Nonrecurring Revenues]

Sponsors: Mayor; Chiu, Farrell and Chu

Ordinance amending the San Francisco Administrative Code Section 10.60, and adding Section 10.61, to adopt a binding financial policy under Charter Section 9.120 providing that Selected Nonrecurring Revenues may only be spent on Nonrecurring Expenditures. (Controller)
(Fiscal Impact.)

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to November 15, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111000 [Administrative Code - Certificates of Participation and Commercial Paper Debt Policies]

Sponsors: Mayor; Farrell, Chiu and Chu

Ordinance amending the San Francisco Administrative Code by adding Section 10.62 to adopt a binding financial policy under Charter Section 9.120 regarding certificates of participation and commercial paper. (Controller)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111001 [Administrative Code - Budget Procedures and Reporting Requirements]

Sponsors: Mayor; Chiu, Farrell and Chu

Ordinance amending the San Francisco Administrative Code Sections 3.3, 3.4, 3.5, 3.6, 3.20, 22A.6, 88.4, and by repealing Sections 88.8, and 88.10 to: 1) update budget procedures to accommodate two-year budget cycles and five-year financial planning requirements; and 2) eliminate outdated and duplicative reporting requirements. (Controller)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111084 [Appropriating $1,843,125 of Children's Fund Contingency in the Department of Children, Youth, and their Families to Fund Subsidized Child Care for Low Income Families - FY2011-2012]

Sponsors: Mayor; Mar

Ordinance appropriating $1,843,125 of Children's Fund Designated Contingency to the Department of Children, Youth, and their Families to allow California Department of Education Title Five Contractors to provide subsidized child care funding for low income families in order to mitigate State cuts in FY2011-2012.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111085 [Memorandum of Understanding, Amendment No. 4 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by extending its term to June 30, 2015, and implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110986 [Airport Concession Lease - Amendment No. 1 to Terminal 3 Newstands - Pacific Gateway Concessions, LLC]

Resolution retroactively approving Amendment No. 1 to Terminal 3 Newsstands Lease No. 04-0165 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 461-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110987 [Airport Concession Lease - Amendment No. 4 to Boarding Areas B and C Principal Retail - Pacific Gateway Concessions, LLC]

Resolution approving Amendment No. 4 to Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 462-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110988 [Airport Concession Lease - Amendment No. 3 to North Terminal Bookstore - Books, Inc.]

Resolution approving Amendment No. 3 to North Terminal Bookstore Lease No. 00-0176 between Books, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 463-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111009 [Adopting a Fixed Two-Year Budget for Airport, the Port, and the Public Utilities Commission]

Sponsors: Mayor, Chiu, Farrell and Chu

Resolution adopting a fixed two-year budgetary cycle for the Airport, the Port, and the Public Utilities Commission, defining terms, and setting deadlines. (Controller)

Resolution No. 464-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111010 [General Obligation Refunding Bonds - Series 2011-R1 - Not to Exceed $1,355,991,219]

Sponsor: Mayor

Resolution authorizing the issuance from time to time, in one or more series, of not to exceed $1,355,991,219 aggregate principal amount of the City and County of San Francisco General Obligation Refunding Bonds, including the initial series or series of such Bond to be designated as "City and County of San Francisco General Obligation Refunding Bonds, Series 2011-R1," to refund certain outstanding General Obligation Bonds; approving the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories, verification agents, and other agents for said bonds; approving the form and authorizing the execution and delivery of escrow agreements relating to the refunded bonds; approving and directing the tax levy for repayment of said bonds; approving procedures for competitive or negotiated sales including approving forms of official notice of sale and notice of intention to sell said bonds and authorizing the selection of underwriters and the execution and delivery of bond purchase agreements; approving the form and authorizing the execution and delivery of continuing disclosure certificates; approving the form and authorizing the distribution of the preliminary official statement and authorizing the execution, delivery, and distribution of the official statement for the Series 2011 R1 Bonds; authorizing payment of costs of issuance of said bonds; approving modifications to documents; ratifying actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the bonds and the refunding of certain outstanding General Obligation Bonds.
(Fiscal Impact)

Resolution No. 448-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Land Use and Economic Development Committee

110767 [Planning Code - Alcoholic Beverages in the Mission Alcoholic Beverage Special Use Subdistrict]

Sponsors: Kim; Wiener and Mar

Ordinance amending the San Francisco Planning Code Section 249.60 to: 1) permit bowling alleys and single screen theatres in the Mission Alcoholic Beverage Special Use Subdistrict to serve alcoholic beverages; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110984 [Transportation Code - Residential Parking Permit Application Penalties]

Ordinance amending the San Francisco Transportation Code, Article 7, Division I, Section 7.2.50, and adding Section 7.3.11, to authorize administrative and misdemeanor penalties for submitting false, misleading, or fraudulent information on a residential parking permit application. (Municipal Transportation Agency)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Public Safety Committee

110967 [Police Code - Regulating Public Nudity in Restaurants and Public Seating Areas]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code Section 1071.1 to: 1) prohibit public nudity in restaurants; and 2) prohibit sitting on public benches or public seating areas without clothing or some other separate material between the person's genitals, buttocks, or anal region and the seating surface.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Derek Kim, son of the late Kim Kun Tai, of the Korean American Community Association of the Bay Area, in recognition of his contributions and accomplishments to the Korean American Community.

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Alan and Ellen Marks, co-founders of the California Brain Tumor Association, in recognition of their advocacy efforts relating to cell phone radiation exposure.

COMMITTEE REPORTS

Recommendations of the City Operations and Neighborhood Services Committee

111164 [Supporting the Occupy Wall Street Protest Movement and the People's Right to Peaceful Assembly]

Sponsors: Avalos; Campos, Kim and Mar

Resolution supporting the Occupy Wall Street Protest Movement and urging Mayor Lee to uphold people's right to peaceful assembly and collaborate with OccupySF to ensure the safety of the protestors, their supporters, and the greater public in the City and County of San Francisco.

Supervisor Avalos, seconded by Supervisor Kim, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution supporting the Occupy Wall Street Protest Movement and urging the City to uphold people's right to peaceful assembly and collaborate with OccupySF to ensure the safety of the protestors, their supporters, and the greater public.

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Resolution be AMENDED on Page 4, Line 12, by adding 'unless there is an objective threat to public safety or public health.' The motion carried by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

Resolution No. 465-11

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

111165 [Supporting Regulated and Safe Patient Access to Medical Cannabis]
Sponsors: Campos; Mar, Avalos, Chiu, Mirkarimi, Kim and Wiener
Resolution supporting regulated and safe patient access to medical cannabis in the City and County of San Francisco.

Resolution No. 466-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to public assembly.
Michael Goldman; expressed concerns relating to public assembly.
Male Speaker; expressed various concerns.
Female Speaker; expressed concerns relating to medical cannabis.
Joyce Collatos; expressed concerns relating to affordable housing for seniors.
Tom Gilberty; expressed concerns relating to noise pollution.
Male Speaker; expressed concerns relating to attorneys on politics.
Otto Duffy; expressed concerns relating to homelessness in San Francisco.
Dora Jones; expressed concerns relating to police brutally.
Peter Warfield; expressed concerns relating to the SF Public Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111168 [Accept and Expend Grant - Prevention Training Center Clinical Training Program - $96,121]

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of $96,121 from the University of California, San Francisco, to fund the Prevention Training Center Clinical Training Program for the period of April 1, 2012, through March 31, 2013.

Resolution No. 467-11

ADOPTED

111114 [Committee of the Whole - Ground Lease Agreement - 25 Essex Street, Commonly Known as Rene Cazenave Apartments - November 8, 2011]

Sponsor: Kim

Motion scheduling the Board to sit as a Committee of the Whole on November 8, 2011, at 3 p.m., to hold a public hearing on the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 25 Essex Street, Assessor's Parcel No. 064-3749, commonly known as Rene Cazenave Apartments to 25 Essex, L.P., a California limited partnership, consistent with the provisions of the California Community Redevelopment Law Section 33433.

Motion No. M11-158

APPROVED

111175 [Final Map 4633: 1584 - 1598 Church Street]

Motion approving Final Map 4633, a Mixed-Use, Six Unit Residential and One Unit Commercial Condominium Project, located at 1584 - 1598 Church Street being a subdivision of Assessors Block No. 6601, Lot No. 006; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-159

APPROVED

111176 [Final Map 6374: 2020 Ellis Street]

Motion approving Final Map 6374, a 12 Unit Residential Condominium Project, located at 2020 Ellis Street being a subdivision of Assessors Block No. 1101, Lot No. 047; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-160

APPROVED

111177 [Final Map 6466: 574 Natoma Street]

Motion approving Final Map 6466, an 11 Unit Residential Condominium Project, located at 574 Natoma Street being a subdivision of Assessors Block No. 3726, Lot No. 075; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-161

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111189 [Administrative Code - Right to Counsel in Civil Matters]

Sponsors: Chiu; Kim, Wiener and Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Article 58, Sections 58.1 through 58.3 to: 1) declare San Francisco to be a Right to Civil Counsel City; and 2) declare the intent of the Board of Supervisors to create a one-year San Francisco Right to Civil Counsel pilot program.

11/01/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

111190 [Administrative, Police Codes - Prevailing Rate of Wages Under City Contracts For Specified Services]

Sponsors: Wiener; Chiu, Mirkarimi and Campos

Ordinance amending the San Francisco Administrative Code Sections 21C.2 though 21C.6, and adding Section 21C.7 to: 1) specify the City contracts for services that are subject to the City's prevailing rate of wage requirement ("Covered Contracts"); 2) consolidate consistent standards for determining and enforcing prevailing rate of wage requirements in all Covered Contracts; 3) provide an employment transition period for workers under successor contracts to all Covered Contracts; and 4) provide that all work on Covered Contracts be performed by employees and not independent contractors; and amending the San Francisco Police Code Section 3300C.1 to make conforming changes.

11/01/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/2/2011.

101055 [Environment Code - Checkout Bags and Checkout Bag Charge]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by: 1) amending Section 1702 to extend the restrictions on checkout bags from supermarkets and chain pharmacies to all retail establishments and food establishments in the City, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, rising to 25 cents, if they provide a customer with a checkout bag; 3) setting an operative date of July 1, 2012; and, 4) making environmental findings.
(Economic Impact)

08/03/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

08/12/10; REFERRED TO DEPARTMENT.

10/12/10; RESPONSE RECEIVED.

11/16/10; SUBSTITUTED AND ASSIGNED to City Operations and Neighborhood Services Committee.

11/01/11; SUBSTITUTED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111101 [Administrative, Business and Tax Regulations, Fire, Health, and Police Codes - Business License Fees]

Sponsors: Chiu; Chu, Kim and Cohen

Ordinance amending various sections of the San Francisco Business and Tax Regulations Code, Administrative Code, Fire Code, Health Code, and Police Code to: 1) establish March 31 as the date for the annual renewal of certain business licenses; 2) apply a schedule of penalties for failure to timely renew certain business licenses; and 3) require Departments to post current business license fees on their websites. (Treasurer-Tax Collector)

10/18/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/17/2011.

10/25/11; REFERRED TO DEPARTMENT.

11/01/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Resolutions

111191 [Issuance of Qualified Energy Conservation Bonds - Not to Exceed $8,291,079]

Sponsor: Chu

Resolution approving the issuance of not to exceed $8,291,079 aggregate principal amount of Qualified Energy Conservation Bonds to be issued by the Public Utilities Commission of the City and County of San Francisco, acting on behalf of the City and County of San Francisco; approving the execution and delivery by the Commission of an Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, a Direct Purchase Agreement, and a Filing Agent Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters.
(Fiscal Impact)

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111192 [Issuance of New Clean Renewable Energy Bonds - Not to Exceed $6,600,000]
Sponsor: Chu

Resolution approving the issuance of not to exceed $6,600,000 aggregate principal amount of New Clean Renewable Energy Bonds to be issued by the Public Utilities Commission of the City and County of San Francisco, acting on behalf of the City and County of San Francisco (Commission); approving the execution and delivery by the Commission of an Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, a Direct Purchase Agreement, and a Filing Agent Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111193 [Real Property Lease - 6th Street Baldwin House, LLC - 72-6th Street]
Sponsors: Mayor; Kim

Resolution authorizing the lease with 6th Street Baldwin House, LLC, of approximately 1,932 rentable square feet of ground space located at 72-6th Street for the Police Department.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111194 [Accept and Expend Gift - Donor Database - $75,000]
Sponsor: Chu

Resolution authorizing the Recreation and Park Department to retroactively accept and expend an in-kind gift valued at $75,000 from the Salesforce.com Foundation to provide the department with a web-based donor database and 10 user licenses for a period of over five years (2011-2015).

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111195 [Accept and Expend Grant - Sudden Oak Death - $569]
Sponsor: Farrell

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $569 from the California Department of Food and Agriculture to fund the program entitled "Sudden Oak Death" for the period of July 1, 2011, through June 30, 2012.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111197 [Accept and Expend Gift - Strawberry Hill Restoration Project - $15,500]
Sponsor: Mar

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at $15,500 from the San Francisco Parks Trust to support the Strawberry Hill Restoration Project.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111198 [Accept and Expend Gift - Golden Gate Park Tennis Courts Resurfacing - $45,680]
Sponsor: Mar

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at $45,680 from the San Francisco Tennis Coalition for the resurfacing of two banks of courts (courts 6-17) at the Golden Gate Park Tennis Complex.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111202 [Approval of a 90-Day Extension for Planning Commission Review of Washington-Broadway Special Use District 1; Waterfront Special Use Districts 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets (File No. 110547)]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110547) amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111204 [Approval of a 90-Day Extension for Planning Commission Review of Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts (File No. 110548)]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110548) amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, 607.4, and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111111 [California Constitution Appropriations Limit for FY2011-2012]

Sponsor: Chu

Resolution establishing the appropriations limit for FY2011-2012 pursuant to California Constitution Article XIII(B).

10/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

11/01/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Motions

111203 [Committee of the Whole - Public Hearing on the Disclosure Responsibilities of Public Officials Under Federal Securities Law]

Sponsor: Chiu

Motion that the Board of Supervisors convene as a Committee of the Whole on November 15, 2011, at 3:00 p.m., to hold a public hearing on the disclosure responsibilities of public officials under federal securities law.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111130 [Committee of the Whole - Ground Lease Agreement - 474 Natoma Street, Commonly Known as the Natoma Family Apartments - November 15, 2011]

Sponsor: Kim

Motion scheduling the Board to sit as a Committee of the Whole on November 15, 2011, at 3:00 p.m., to hold a public hearing on the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 474 Natoma Street, Assessor's Block No. 3725, Lot No. 101, commonly known as the Natoma Family Apartments to 474 Natoma, LLC, a California limited liability company, consistent with the provisions of the California Community Redevelopment Law Section 33433.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

111196 [Hearing - Power Rates and Cost of Service for City Departments and Other Customers]

Sponsor: Campos

Hearing to examine the current San Francisco Public Utilities Commission rates and cost of service for City departments and other SFPUC power customers and consider impact of changing the rates to cover cost of service.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111200 [Public Hearing - Administrative Code - Health Care Security Ordinance]
Hearing of persons interested in or objecting to proposed amendment of the whole entitled, "Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Sections 14.1.5 and 14.1.6 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to health reimbursement account remain available to the employee for two years, rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date." (Clerk of the Board)

11/01/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

111135 [Settlement of Lawsuit - Diane Bauer - $35,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Diane Bauer against the City and County of San Francisco for $35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111136 [Settlement of Lawsuit - David Cheung - $80,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually, and dba Kwok Shing Hong, against the City and County of San Francisco for $80,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111137 [Settlement of Lawsuit - Elaine Choy - $28,850]
Ordinance authorizing settlement of the portion of the lawsuit filed by Elaine Choy against the City and County of San Francisco for $28,850; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111138 [Settlement of Lawsuit - Shonna Cook - $27,785]

Ordinance authorizing settlement of the portion of the lawsuit filed by Shonna Cook against the City and County of San Francisco for $27,785; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111139 [Settlement of Lawsuit - James Cordova/Maria Morales - $26,965]

Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for $26,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111140 [Settlement of Lawsuit - Brenda Dickson - $28,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Brenda Dickson against the City and County of San Francisco for $28,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111141 [Settlement of Lawsuit - Susan Garduno - $25,730]

Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for $25,730; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111142 [Settlement of Lawsuit - KLW, LLC - $110,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC, against the City and County of San Francisco for $110,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111143 [Settlement of Lawsuit - Lawrence LaBianca - $34,965]

Ordinance authorizing settlement of the portion of the lawsuit filed by Lawrence LaBianca against the City and County of San Francisco for $34,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111144 [Settlement of Lawsuit - Jane Martin and David Baker - $50,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for $50,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111145 [Settlement of Lawsuit - Pat Moore and Tom Moore - $30,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore and Tom Moore against the City and County of San Francisco for $30,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111146 [Settlement of Lawsuit - James Ramsey and Patricia Carazo Ramsey - $33,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by James Ramsey and Patricia Carazo Ramsey against the City and County of San Francisco for $33,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111147 [Settlement of Lawsuit - Sally Seid - $27,815]

Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for $27,815; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111148 [Settlement of Lawsuit - Angela Sinicropi and Martin Takigawa - $26,820]

Ordinance authorizing settlement of the portion of the lawsuit filed by Angela Sinicropi and Martin Takigawa against the City and County of San Francisco for $26,820; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111149 [Settlement of Lawsuit - Sunday Bazaar/2170 Folson, LLC - $60,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folson, LLC, against the City and County of San Francisco for $60,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111151 [Public Improvements Acceptance - Bayshore Boulevard at Waterloo Street]

Ordinance: 1) accepting an irrevocable offer for improvements and real property related to the widening of Bayshore Boulevard at Waterloo Street and accepting a grant deed for these purposes; 2) declaring such area to be open public right-of-way and dedicating it for right-of-way and roadway purposes; 3) accepting maintenance and liability for this area subject to certain limitations; 4) establishing sidewalk width change for this area; 5) making findings, including environmental findings and general plan and priority policy findings; and 6) authorizing official acts in connection with this Ordinance. (Public Works Department)

10/18/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111154 [Agreement - Tracking Environmental Attributes]

Ordinance approving a contract between the City and County of San Francisco and the Western Renewable Energy Generation Information System for: 1) documenting and tracking environmental attributes at an estimated initial cost of $4,500 per year, depending on account activity; 2) waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, waiving the requirement of Section 21.9(b) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision, waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, waiving the requirement of Section 12F.5 of the San Francisco Administrative Code that every contract contain a statement urging companies abide by the MacBride Principles, and waiving the requirement of Section 12O.2 of the San Francisco Administrative Code that every contractor provide EIC forms to eligible employees; and 3) authorizing the San Francisco Public Utilities Commission to enter other similar contracts for tracking environmental attributes. (Public Utilities Commission)

10/24/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

111150 [Settlement of Claim - James Christian - $200,000]

Resolution approving the settlement of the unlitigated claim filed by James Christian against the City and County of San Francisco for $200,000; claim was filed on May 31, 2011. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111152 [Airport Lease and Use Agreement - Swiss International Air Lines, Limited]

Resolution approving the terms of 2011 Airline/Airport Lease and Use Agreement L11-0182 between the City and County of San Francisco and Swiss International Air Lines, Limited, to conduct international flight operations at San Francisco International Airport. (Airport Commission)

10/21/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111153 [Contract Extension - Voting System - Not to Exceed $2,264,800]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Dominion Voting Systems for an amount not to exceed $2,264,800 and to extend the term of the contract through December 10, 2013. (Elections Department)
(Fiscal Impact)

10/24/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation related to the reporting of contract information and change orders.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
444 Divisadero
Southeast corner of Pine and Divisadero
Northeast corner of Post and Divisadero
Northeast corner of Geary and Divisadero
Northwest corner of Pierce and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
783 Haight
Northeast corner of Haight and Steiner
Northwest corner of Waller and Steiner
Northwest corner of Hayes and Divisadero
Northwest corner of Fulton and Divisadero
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Fulton and Divisadero
Southeast corner of Hayes and Divisadero
Northwest corner of Pierce and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Northwest corner of Pierce and Haight
Northeast corner of McAllister and Divisadero
444 Divisadero
Northeast corner of Haight and Scott
Southwest corner of Geary and Divisadero

Advertiser
Southwest corner of California and Divisadero
Northeast corner of Post and Divisadero
Southwest corner of Hayes and Divisadero

USA Today
1750 Divisadero

Jobs and Careers
Approximately 1650 Divisadero
1750 Divisadero

Real Estate Times
Northeast corner of Geary and Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
212 Divisadero
280 Divisadero
Southeast corner Stanyan and Page
334 Divisadero
532 Divisadero
Southwest corner Ashbury and Haight
Southwest corner Haight and Fillmore
In front of 520 Haight
In front of 535 Haight
Southwest corner Divisadero and Golden Gate
824 Divisadero
928 Divisadero
1199 Divisadero
Southeast corner of Oak and Divisadero
Northeast corner of McAllister and Divisadero
Approximately 1106 Divisadero
Approximately 1198 Divisadero
Approximately 1280 Divisadero
Approximately 1650 Divisadero
2200 Post
Approximately 2090 Post
Approximately 2190 Post
Approximately 2110 Post
Approximately 2020 Post
Southeast corner of Geary and Scott (approximately 9 feet off the ground)
1670 Eddy
1502 Golden Gate
1346 McAllister
Approximately 1375 McAllister
Approximately 405 Fillmore
Approximately 690 Page
248 Scott
630 Waller

Concrete Poles
Approximately 2060 Post
1470 Golden Gate
Opposite 753 Oak

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings
285 Divisadero
334 Divisadero
507 Divisadero
208 Scott
1067 Oak
799 Haight
670 Stanyan
1345 Divisadero
538 Divisadero
717 Divisadero
432 Divisadero
736 Divisadero
838 Divisadero
1067 Oak
1800 Turk, on East side
1347 Divisadero
1649 Divisadero
Approximately 1645 Turk
1513 Golden Gate
Southwest corner of Pierce and Golden Gate
1440 Golden Gate, on East side
863 Scott
949 Fell
702 Oak
232 Scott

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Southeast corner of Oak and Divisadero
Northeast corner of McAllister and Divisadero
Southwest corner of Geary and Divisadero
Northeast corner of Pine and Divisadero
Southeast & Northwest corners Haight & Fillmore
Southwest & Northeast Waller and Fillmore
Southeast corner Masonic and Haight
Northeast corner Ashbury and Haight

Mailboxes
Southeast corner of Golden Gate and Divisadero
Northeast corner of McAllister and Divisadero
Southeast corner of Ellis and Divisadero
Northeast corner of Scott and McAllister
Northeast corner Haight and Fillmore
Northeast corner of Haight and Scott

Public Restroom
Kimball playground

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following public property locations:

Utility Boxes
Northeast corner of Eddy and Divisadero
Southwest corner of Ellis and Divisadero
Northeast corner of Geary and Divisadero
Northeast corner of Golden Gate and Divisadero
Northeast corner of Steiner and Post
Northeast corner of Oak and Steiner
Near 1110 Oak

Bus Shelters
Southeast corner of Hayes and Divisadero
Northeast corner of Pierce and McAllister
465 Fillmore

Emergency Boxes
Southeast corner of Steiner and Page
Opposite 1513 Golden Gate
Northeast corner of Fell and Divisadero
Southwest corner Pierce and Haight
Southwest corner Haight and Buchanan

In Memoriams

Kim Kun Tai - Supervisor Kim

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:20 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 13, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 3 0 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, November 8, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 106 Number 40

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

The Mayoral Appearance at the Board of Supervisors is rescheduled to November 15, 2011.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

111000 [Administrative Code - Certificates of Participation and Commercial Paper Debt Policies]

Sponsors: Mayor; Farrell, Chiu and Chu

Ordinance amending the San Francisco Administrative Code by adding Section 10.62 to adopt a binding financial policy under Charter Section 9.120 regarding certificates of participation and commercial paper. (Controller)

Ordinance No. 221-11

FINALLY PASSED

111001 [Administrative Code - Budget Procedures and Reporting Requirements]

Sponsors: Mayor; Chiu, Farrell and Chu

Ordinance amending the San Francisco Administrative Code Sections 3.3, 3.4, 3.5, 3.6, 3.20, 22A.6, 88.4, and by repealing Sections 88.8, and 88.10 to: 1) update budget procedures to accommodate two-year budget cycles and five-year financial planning requirements; and 2) eliminate outdated and duplicative reporting requirements. (Controller)

Ordinance No. 222-11

FINALLY PASSED

111084 [Appropriating $1,843,125 of Children's Fund Contingency in the Department of Children, Youth, and their Families to Fund Subsidized Child Care for Low Income Families - FY2011-2012]

Sponsors: Mayor; Mar

Ordinance appropriating $1,843,125 of Children's Fund Designated Contingency to the Department of Children, Youth, and their Families to allow California Department of Education Title Five Contractors to provide subsidized child care funding for low income families in order to mitigate State cuts in FY2011-2012.
(Fiscal Impact)

Ordinance No. 223-11

FINALLY PASSED

111085 [Memorandum of Understanding, Amendment No. 4 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by extending its term to June 30, 2015, and implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

Ordinance No. 218-11

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

110590 [Planning Code - Reconstruction of Buildings Damaged or Destroyed by Fire or Acts of God]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code Sections 181(d) and 188(b) to: 1) provide a process for the reconstruction of buildings damaged or destroyed by fire or acts of God; 2) provide a retroactive operative date of August 1, 2009; and 3) adopt findings, including environmental findings and Planning Code Section 302 findings.

Ordinance No. 224-11

FINALLY PASSED

110767 [Planning Code - Alcoholic Beverages in the Mission Alcoholic Beverage Special Use Subdistrict]

Sponsors: Kim; Wiener and Mar

Ordinance amending the San Francisco Planning Code Section 249.60 to: 1) permit bowling alleys and single screen theatres in the Mission Alcoholic Beverage Special Use Subdistrict to serve alcoholic beverages; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 220-11

FINALLY PASSED

110984 [Transportation Code - Residential Parking Permit Application Penalties]

Ordinance amending the San Francisco Transportation Code, Article 7, Division I, Section 7.2.50, and adding Section 7.3.11, to authorize administrative and misdemeanor penalties for submitting false, misleading, or fraudulent information on a residential parking permit application. (Municipal Transportation Agency)

Ordinance No. 225-11

FINALLY PASSED

Recommendation of the Public Safety Committee

110967 [Police Code - Regulating Public Nudity in Restaurants and Public Seating Areas]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code Section 1071.1 to: 1) prohibit public nudity in restaurants; and 2) prohibit sitting on public benches or public seating areas without clothing or some other separate material between the person's genitals, buttocks, or anal region and the seating surface.

Ordinance No. 219-11

FINALLY PASSED

Recommendations of the Rules Committee

111024 [Settlement of Lawsuit - Norman T. Larson, et al. - $122,500]

Ordinance approving settlement of the lawsuit filed by Norman T. Larson, San Francisco Apartment Association, San Francisco Association of Realtors, Coalition For Better Housing, Round Hill Pacific, and John Zanghi (collectively "Larson Petitioners") against the City and County of San Francisco by payment by the City and County of San Francisco to the Larson Petitioners' counsel Nielsen, Merksamer, Parrinello, Gross, and Leoni, LLP, in the amount of $122,500 and other terms; the lawsuit was filed on December 10, 2008, in the San Francisco Superior Court, Case No. 509-083, entitled Larson et al. vs. City and County of San Francisco. (City Attorney)

Ordinance No. 226-11

FINALLY PASSED

111025 [Settlement of Lawsuit - City to Pay $500 for Sub-Surface Easement in San Mateo County]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; and Does 1 through 100; to condemn and take by right of eminent domain a permanent sub-surface easement of approximately 27,829 square feet in property owned by San Mateo County Transit District, located in Menlo Park, California, commonly known as SBE 872-41-20P; filed June 3, 2010, in San Mateo County Superior Court, Case No. CIV 495644; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; and Does 1 through 100. (City Attorney)

Ordinance No. 227-11

FINALLY PASSED

111099 [Settlement of Lawsuit - Damian Fleming - $70,000]

Ordinance authorizing settlement of the lawsuit filed by Damian Fleming against the City and County of San Francisco for $70,000; the lawsuit was filed on July 14, 2010, in San Francisco Superior Court, Case No. CGC 10-501543, entitled Fleming v. City and County of San Francisco. (City Attorney)

Ordinance No. 228-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

111169 [Adopting Findings Reversing the General Rule Exclusion Determination - 1171 Sansome Street]

Motion adopting findings reversing the Planning Department's determination that a project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review through a general rule exclusion. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Motion No. M11-165

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

111031 [Appropriating $304,120,801 of Water System Improvement Program Project Funds - Finance Committee Reserve of $215,338,107 - Public Utilities Commission - FY2011-2012]

Sponsor: Chu

Ordinance de-appropriating $304,120,801 in existing Water System Improvement Program (WSIP) project budgets and re-appropriating the funds to the revised WSIP program budgets adopted by the San Francisco Public Utilities Commission, and placing $215,338,107, as well as future project savings, on Finance Committee reserve.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111103 [De-Appropriating $17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds from Various Voter-Approved Projects and Re-Appropriating to Other Voter-Approved Projects]

Sponsor: Mayor

Ordinance de-appropriating $17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond proceeds, Series 2008A, which were appropriated upon sale of the second issuance to specific voter-approved projects and re-appropriating $17,080,000 to other, voter-approved projects.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111112 [Accept and Expend Grant - TransitionSF, Enhanced Job Training Demonstration - $5,724,203]

Sponsors: Mayor; Chu

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $5,724,203 from the Department of Labor for TransitionSF.

Resolution No. 475-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Committee Without Recommendation

111162 [Appropriating $3,448,827 of State Revenue Loss Reserves and Federal Revenues for Adult Day Health Centers at the Human Services Agency - FY2011-2012]

Sponsors: Mayor; Kim, Chiu, Mirkarimi and Mar

Ordinance appropriating $3,370,001 of State revenue loss reserves and $78,826 of Adult Protective Services federal match revenues to provide one-time bridge funding to Adult Day Health Centers, through the Human Services Agency, in order to mitigate state cuts in FY2011-2012. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Government Audit and Oversight Committee

110818 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Central Subway Too Much Money For Too Little Benefit"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Central Subway Too Much Money for Too Little Benefit" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 477-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110929 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Whistling in the Dark: The San Francisco Whistleblower Program"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Whistling in the Dark: The San Francisco Whistleblower Program" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 476-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Privilege of the floor was granted to Sally Oerth (Redevelopment Agency) who presented information concerning the matter and responded to questions raised throughout the discussion.

111115 [Hearing - Ground Lease - Redevelopment Agency Land - 25 Essex Street, Commonly Known as Rene Cazenave Apartments]

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 25 Essex Street, Assessor's Block No. 3749, Lot No. 064, southeast corner of Folsom and Essex Streets, commonly known as Rene Cazenave Apartments, in the Transbay Redevelopment Project Area, to 25 Essex L.P., a California limited partnership, for 75 years for the purpose of developing housing for very low-income formerly homeless residents.

The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

111116 [Ground Lease - Redevelopment Agency Land - 25 Essex Street, Commonly Known as Rene Cazenave Apartments]

Sponsor: Kim

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 25 Essex Street, Assessor's Block No. 3749, Lot No. 064, southeast corner of Folsom and Essex Streets, commonly known as Rene Cazenave Apartments, in the Transbay Redevelopment Project Area, to 25 Essex L.P., a California limited partnership, for 75 years for the purpose of developing housing for very low-income formerly homeless residents.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution No. 474-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to impeachment trial of the Mayor.
Vera Haile; expressed concerns relating to the Adult Day Health Care Center.
Charles C.; expressed various religious concerns.
Steve Chessin; expressed various concerns relating to the election.
Sara Chan; expressed appreciation for the Adult Day Health Care Center.
Matt Mandell; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.

Supervisor Elsbernd was noted absent at 2:35 p.m. and present at 2:43 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111194 [Accept and Expend Gift - Donor Database - $75,000]

Sponsor: Chu

Resolution authorizing the Recreation and Park Department to retroactively accept and expend an in-kind gift valued at $75,000 from the Salesforce.com Foundation to provide the department with a web-based donor database and 10 user licenses for a period of over five years (2011-2015).

Resolution No. 473-11

ADOPTED

111195 [Accept and Expend Grant - Sudden Oak Death - $569]

Sponsor: Farrell

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $569 from the California Department of Food and Agriculture to fund the program entitled "Sudden Oak Death" for the period of July 1, 2011, through June 30, 2012.

Resolution No. 472-11

ADOPTED

111197 [Accept and Expend Gift - Strawberry Hill Restoration Project - $15,500]

Sponsor: Mar

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at $15,500 from the San Francisco Parks Trust to support the Strawberry Hill Restoration Project.

Resolution No. 471-11

ADOPTED

111198 [Accept and Expend Gift - Golden Gate Park Tennis Courts Resurfacing - $45,680]

Sponsor: Mar

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at $45,680 from the San Francisco Tennis Coalition for the resurfacing of two banks of courts (courts 6-17) at the Golden Gate Park Tennis Complex.

Resolution No. 470-11

ADOPTED

111202 [Approval of a 90-Day Extension for Planning Commission Review of Washington-Broadway Special Use District 1; Waterfront Special Use Districts 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets (File No. 110547)]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110547) amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 469-11

ADOPTED

111204 [Approval of a 90-Day Extension for Planning Commission Review of Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts (File No. 110548)]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110548) amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, 607.4, and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 468-11

ADOPTED

111203 [Committee of the Whole - Public Hearing on the Disclosure Responsibilities of Public Officials Under Federal Securities Law]

Sponsor: Chiu

Motion that the Board of Supervisors convene as a Committee of the Whole on November 15, 2011, at 3:00 p.m., to hold a public hearing on the disclosure responsibilities of public officials under federal securities law.

Motion No. M11-162

APPROVED

111130 [Committee of the Whole - Ground Lease Agreement - 474 Natoma Street, Commonly Known as the Natoma Family Apartments - November 15, 2011]

Sponsor: Kim

Motion scheduling the Board to sit as a Committee of the Whole on November 15, 2011, at 3:00 p.m., to hold a public hearing on the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 474 Natoma Street, Assessor's Block No. 3725, Lot No. 101, commonly known as the Natoma Family Apartments to 474 Natoma, LLC, a California limited liability company, consistent with the provisions of the California Community Redevelopment Law Section 33433.

Motion No. M11-163

APPROVED

111187 [Final Map 5410: 1150 Ocean Avenue]

Motion approving Final Map 5410, a five parcel, Airspace Mixed Use Subdivision, including a 173 Residential Unit Condominium Project, located at 1150 Ocean Avenue being a subdivision of Assessors Block No. 3180, Lot No. 003; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M11-168

APPROVED

111188 [Final Map 5914: 1345 Turk Street]

Motion approving Final Map 5914, a 32 Unit Residential Condominium Project, located at 1345 Turk Street being a subdivision of Assessors Block No. 0756, Lot No. 017; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-164

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Charter Amendment

111212 [Charter Amendment - Replacing Ranked-Choice Voting with Run-Off Elections]

Sponsors: Farrell; Elsbernd

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 13.102 and Article XVII to replace ranked-choice voting with run-off elections.

11/08/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/8/2011.

Ordinances

111210 [Planning Code - Chinatown Transit Station Special Use District]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code Section 249.66 to: 1) create the Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopt findings, including General Plan Consistency Findings and findings under the California Environmental Quality Act.

11/08/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/8/2011.

111211 [Zoning Map Amendments - Chinatown Transit Station Special Use District]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code Sectional Maps SU01 of the Zoning Map of the City and County of San Francisco to: 1) reflect the creation of the Chinatown Transit Station Special Use District, Planning Code Section 249.66, at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No.1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopting findings, including General Plan Consistency Findings, Planning Code Section 101.1 and 302 findings, and findings under the California Environmental Quality Act.

11/08/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/8/2011.

111213 [Summary Vacation - Hunt Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Sponsor: Kim

Ordinance ordering the summary vacation of Hunt Street as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

11/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

111214 [Real Property Lease - San Francisco Community College District - Near the Intersection of Phelan and Ocean Avenues]

Sponsor: Elsbernd

Resolution approving the lease of property near the intersection of Phelan and Ocean Avenues for a public plaza for seventy-five years to San Francisco Community College District, an institution of higher education organized under the State of California Education Code; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this Resolution.

11/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111215 [Lease Agreement - State of California - Rincon Hill Dog Park]

Sponsor: Kim

Resolution approving the execution of a Lease Agreement for a portion of Assessor Block No. 3766, Lot No. 011, by and between the City and County of San Francisco, and the State of California, acting by and through its Department of Transportation (Caltrans); and adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies; and authorizing other actions in furtherance of this Resolution.

11/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111216 [Accept and Expend Grant - Intellectual Property Crime Enforcement Program - $198,676]

Sponsor: Mirkarimi

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $198,676 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Intellectual Property Crime Enforcement Program" for the grant period of October 1, 2011, through September 30, 2012.

11/08/11; RECEIVED AND ASSIGNED to Public Safety Committee.

111217 [Grant Agreement - Non-Profit Institute on Aging - Not to Exceed $19,448,123]

Sponsor: Mayor

Resolution approving a modified grant agreement between the City and County of San Francisco and the non-profit Institute on Aging to provide Case Management, Community Living Fund and Linkages Program services to seniors and adults with disabilities during the period of July 1, 2010, to June 30, 2015, for a total not to exceed amount of $19,448,123.
(Fiscal Impact)

11/08/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111218 [Apply for, Accept and Expend Grant - Community of Veterans Engaged in Restoration Program - $249,662]

Sponsor: Mayor

Resolution authorizing the Sheriff's Department to retroactively apply for, accept and expend $249,662 in funds from the Office of Justice Programs, through the Justice and Mental Health Collaboration Program, the Community of Veterans Engaged in Restoration Program will strive to increase public safety and reduce recidivism among incarcerated and recently released veterans with post-traumatic stress disorder in the City and County of San Francisco.

11/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111219 [Accept and Expend Gift - GearUp Fund - $50,000]

Sponsor: Chiu

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at $50,000 from the San Francisco Parks Trust to support the GearUp Fund.

11/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111220 [Accept and Expend Grant - Oil Spill Response Planning - $10,000]

Sponsor: Cohen

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of $10,000 from the California Department of Fish and Game for oil spill response planning for the of period July 1, 2011, through June 30, 2012.

11/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111221 [Multi-Family Housing Revenue Bonds, Series 2008B-Geary Senior Housing]

Sponsor: Mar

Resolution approving the execution and delivery of a First Supplemental Indenture of Trust in connection with the financing of Geary Senior Housing, authorizing consent to extension of maturity date of related loan, and granting general authority to City officials to take actions necessary to implement this resolution, and related matters.

111222 [Opposing the Federal "Super Committee" Farm Bill Process]

Sponsor: Mar

Resolution urging our elected United States Senators and Representatives to oppose the inclusion of the Farm Bill in the "Super Committee" process and to support a full legislative process for the 2012 Farm Bill.

11/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111223 [Accept and Expend Gift - Recycling/Trash Containers for Golden Gate Park - $30,000]

Sponsor: Mar

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at $30,000 from the San Francisco Parks Trust for 15 state-of-the-art recycling/trash containers for Golden Gate Park.

11/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111224 [Aziza Day - November 19, 2011]

Sponsor: Mar

Resolution honoring Chef Mourad Lahlou and proclaiming November 19, 2011, as "Aziza Day" in the City and County of San Francisco.

11/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111225 [Accept and Expend Grant - Lighting at Mission Playground Soccer Field - $25,000]

Sponsor: Wiener

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in-place, valued at $25,000 from the United States Soccer Foundation to support the purchase of new lighting fixtures for Mission Playground Soccer Field.

11/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

111226 [Hearing - Ethics Commission Regulations - Sunshine Ordinance Violations]

Sponsor: Campos

Hearing on the Ethics Commission's proposed regulations for managing violations of the Sunshine Ordinance. The hearing should include consideration of the Sunshine Ordinance Task Force's recommended changes for handling complaints for willful violations differently from enforcement of other Sunshine Ordinance Task Force referrals.

11/08/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

111227 [Public Hearing - Federal Securities Law Disclosure Responsibilities]

Sponsor: Chiu

Hearing on the disclosure responsibilities of public officials under federal securities law.

11/08/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

111228 [Hearing - Annual Review and Approval of the Board of Supervisors/Clerk of the Board - Annual Budget Guidelines]

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines. (Clerk of the Board)

11/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

111172 [Supporting Goals for Federal Funding - FY2012-2013 Community Development Block Grant and Emergency Solutions Grant Programs]

Resolution supporting FY2012-2013 Community Development Block Grant and Emergency Solutions Grant Consolidated Plan goals. (Mayor's Office of Housing)

10/25/11; RECEIVED FROM DEPARTMENT.

11/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111173 [Funding Application - CalHome Program - $1,500,000]

Resolution authorizing the Mayor's Office of Housing to: 1) submit an application to the California Department of Housing and Community Development for funding under the CalHome Program for $1,500,000; 2) execute a standard agreement, if selected, for such funding and any amendments thereto; and 3) submit any related documents necessary to participate in the CalHome Program. (Mayor's Office of Housing)

10/31/11; RECEIVED FROM DEPARTMENT.

10/31/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southeast corner of Octavia and Haight
Southeast corner of Page and Gough
Southwest corner of Page and Gough
Northeast corner of Oak and Laguna
Southeast corner of Octavia and Oak
Southeast corner of Octavia and Fell
Southwest corner of Octavia and Lilly
Southwest corner Haight & Fillmore
Northeast corner Buchanan & Oak
Northeast corner Linden & Buchanan

Bus Shelter
All four bus shelters on Haight & Fillmore (all shelters are filthy with grime)
Southwest corner Buchanan & Haight
Southwest corner Haight & Pierce
Northeast & Southwest corners Hayes & Fillmore
Southwest corner Buena Vista East & Haight
Southeast corner Divisadero & Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
14 Haight
Northwest corner of Gough and Fell
379 Hayes
All four cans on the corners of Haight & Fillmore
Southwest & Northeast corners of Waller & Fillmore
Northeast corner Fillmore & Duboce
Southeast corner Page & Fillmore
Southwest corner Buchanan & Haight

Mailboxes
Northwest corner of Octavia and Haight
Northwest corner of Octavia and Page
Southwest corner of Octavia and Linden
Southwest corner of Laguna and Hayes

Fire Hydrants
341 Oak
Southwest corner of Laguna and Hayes

Public Benches
307 Linden

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

Residential and Commercial Buildings
702 Oak
Northwest corner of Gough and Haight
Approximately 410 Linden
Approximately 265 Rose, on West Side
Opposite 260 Rose
Approximately 110 Rose
Approximately 270 Lily
200 Lily, on East Side
361 Oak
322 Linden
Approximately 465 Linden
Approximately 481 Linden
491 Linden
400 Duboce
500 Duboce
451 Hayes, on West and South sides
515 Octavia
Opposite 497 Ivy
Approximately 485 Ivy
428 Grove, on East side

Parking Lots
Northwest corner of Grove and Gough
Northeast corner of Octavia and Rose

Billboards
1700 Market (private street fixture)

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
39 Haight St.
Northwest corner Buchanan & Haight
In front of 220 Fillmore
Southeast corner Haight & Fillmore
Southwest corner Haight & Fillmore
360 Haight
Approximately 274 Laguna
1700 Market
295 Page
231 Page
171 Lily
Eastern most median at the intersection of Octavia and Lily
Approximately 320 Laguna
387 Oak
Southwest corner of Octavia and Oak
273 Oak
Opposite 307 Oak

Northwest corner of Gough and Fell
435 Hayes
Northwest corner of Gough and Hayes
Approximately 405 Gough
411 Hayes
319 Ivy
531 Grove
501 Grove
Northwest corner of Grove and Gough
555 Gough
Northeast corner of Fell and Webster
Approximately 430 Webster

Wood Poles
Northwest corner of Rose and Gough
Approximately 205 Page
Approximately 155 Lily
Approximately 445 Fell
Approximately 365 Linden
Approximately 385 Linden
Southeast corner of Laguna and Grove

Concrete Poles
637 Fulton
Southeast corner of Oak and Laguna
Approximately 220 Oak
Opposite 369 Oak
Northwest corner of Gough and Fell
Southeast corner of Laguna and Hayes

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following newsstands:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
Southwest corner of Octavia and Hayes

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Octavia and Page
Northwest corner of Gough and Fell
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Gough and Hayes

SF Weekly
Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore
Northwest corner of Octavia and Page
Approximately 425 Grove
Southwest corner of Laguna and Fell

In Memoriams

Janet Swindler – Supervisor Elsbernd
Jabari Allah – Supervisor Kim

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:43 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 13, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 15, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

JAN 19 2012

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DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Commissioners Fewer, Maufas, Norton, Cohen, Avalos, Chu	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Avalos, Mar	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Chiu, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Elsbernd	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 41

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

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ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

Supervisor Kim was noted present at 2:12 p.m.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

111199 [Formal Policy Discussions - November 15, 2011]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 1, 3, 5, and 9. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Recently, the Board of Supervisors held a hearing looking into the creation of a municipal bank at the urging of Supervisor Avalos and OccupySF leaders. San Francisco currently divides its nearly 200 bank accounts between three massive financial firms: Wells Fargo, Union Bank of California, and Bank of America. Many residents are saying that rather than sending our savings elsewhere, and depending entirely on the private sector, with its boom/bust cycles, the City needs to look to its own assets and strengths, and develop a strategy to reinvest locally. It is not a new idea, it was a demand of the 1975 SF Community Congress, and the Board of Supervisors commissioned a Legislative Analyst Report at the request of Supervisor Matt Gonzalez on this issue in 2001. A municipal bank could eventually invest millions in low-interest loans for alternative forms of development in San Francisco, prioritizing nontraditional business models. At a time when millions of individuals are taking their money out of large banks and putting them into local institutions, it seems necessary for the City to seriously consider this option as well. In addition, throughout most of the City, including all of San Francisco's Neighborhood Commercial Districts, formula retail stores and restaurants are considered conditional uses. This means they must be approved by the Planning Commission on a case-by-case basis. This gives residents more control over the development of their communities. However, the Planning Department is interpreting the Formula Retail law narrowly to exclude banks and other entities that aren't specifically listed in the formula retail law, despite the fact that formula retail is defined with reference to a catch-all category (Sales & Service, Retail), so all of these businesses, including banks, should be covered. Do you support subjecting formula retail banks to the same Conditional Use restrictions as other formula retail uses? And, do you support the creation of a municipal bank for our City? (Supervisor Mar, District 1)

2. This fall, I requested that the Budget and Legislative Analyst perform a review of the frequency and cost to the City of contract change orders for large construction and professional services contracts. The report found that half of the contracts had modifications, totaling almost $300 million, almost the size of the City's budget shortfall last year. The report also found that there is less public scrutiny of contracts in San Francisco than in other jurisdictions, and contract information is not kept in a uniform manner by Departments. What is your reaction to the findings in the Budget and Legislative Analyst report? Do you agree that we need to reform the way that we approve, monitor, and report contracts? (Supervisor Chiu, District 3)

3. One of the promises you made during your mayoral campaign was to focus on job training and job creation. According to information provided by the Mayor's Office of Economic and Workforce Development, San Francisco's Human Services Agency (HSA) had $25 million in federal stimulus funds available from May 2009 to September 2010 to use towards the Jobs Now job training and job placement programs. With these funds, HSA was able to provide job services to over 4,100 low-skilled and/or unemployed San Franciscans in less than a year and a half. City data also indicates that since federal stimulus funding ran out just over a year ago, HSA has been able to serve approximately only 550 San Franciscans in these programs annually -- a significant decrease. What level of funding for these programs do you propose in the upcoming budget to fulfill your campaign pledge of job training and creation? (Supervisor Mirkarimi, District 5)

4. The San Francisco Municipal Transportation Agency (SFMTA) work orders $60 million to other City departments for services, including services that may not have a direct connection to public transit such as the motorcycle fleet of the San Francisco Police Department. Would you commit today to reducing the amount of work orders by at least 20 percent by Fiscal Year 2012-2013 in order to increase Muni service for all riders? (Supervisor Campos, District 9)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

111031 [Appropriating $304,120,801 of Water System Improvement Program Project Funds - Finance Committee Reserve of $215,338,107 - Public Utilities Commission - FY2011-2012]

Sponsor: Chu

Ordinance de-appropriating $304,120,801 in existing Water System Improvement Program (WSIP) project budgets and re-appropriating the funds to the revised WSIP program budgets adopted by the San Francisco Public Utilities Commission, and placing $215,338,107, as well as future project savings, on Finance Committee reserve.
(Fiscal Impact)

Ordinance No. 230-11

FINALLY PASSED

111103 [De-Appropriating $17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds from Various Voter-Approved Projects and Re-Appropriating to Other Voter-Approved Projects]

Sponsor: Mayor

Ordinance de-appropriating $17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond proceeds, Series 2008A, which were appropriated upon sale of the second issuance to specific voter-approved projects and re-appropriating $17,080,000 to other, voter-approved projects.

Ordinance No. 229-11

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

111167 [Agreement - Eastern Neighborhoods Rental Incentive Option - 720 and 740 Illinois Street and 2121 Third Street]

Sponsor: Cohen

Resolution approving an agreement and authorizing the Director of Planning to execute the agreement on behalf of the City and County of San Francisco in order to implement the Eastern Neighborhoods Rental Incentive option under San Francisco Planning Code Section 419.5(b) for the residential development proposed at 720 and 740 Illinois Street and 2121 Third Street (Lot Nos. 002 & 006 in Assessor's Block No. 4045).

Resolution No. 480-11

ADOPTED

Recommendations of the Rules Committee

111098 [Appointments, Veteran Affairs Commission - Dorothy Guy, and Jordan Towers]

Motion appointing Dorothy Guy, term ending January 31, 2013, and Jordan Towers, term ending January 31, 2014, to the Veteran Affairs Commission. (Clerk of the Board)
Jordan Towers, seat 10, succeeding James Guglielmoni, resigned, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2014.
Dorothy Guy, seat 12, new appointment, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2013.

Motion No. M11-166

APPROVED

111180 [Appointment, Bicycle Advisory Committee - Marc Brandt]

Motion appointing Marc Brandt, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)
Marc Brandt, seat 3, succeeding himself, term expired, must be a nominee of District 3 Supervisor. The member shall serve a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Motion No. M11-167

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

110999 [Administrative Code - Financial Policy Regarding Selected Nonrecurring Revenues]

Sponsors: Mayor; Chiu, Farrell and Chu

Ordinance amending the San Francisco Administrative Code Section 10.60, and adding Section 10.61, to adopt a binding financial policy under Charter Section 9.120 providing that Selected Nonrecurring Revenues may only be spent on Nonrecurring Expenditures. (Controller) (Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Committee Without Recommendation

111162 [Appropriating $3,448,827 of State Revenue Loss Reserves and Federal Revenues for Adult Day Health Centers at the Human Services Agency - FY2011-2012]

Sponsors: Mayor; Kim, Chiu, Mirkarimi and Mar

Ordinance appropriating $3,370,001 of State revenue loss reserves and $78,826 of Adult Protective Services federal match revenues to provide one-time bridge funding to Adult Day Health Centers, through the Human Services Agency, in order to mitigate state cuts in FY2011-2012. (Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

Ordinance No. 231-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Public Safety Committee

110993 [Police Code - Commercial Parking Permits]

Ordinance amending the San Francisco Police Code Section 1215.2 to modify the requirements for the Chief of Police to refer applications for Commercial Parking Permits to the Municipal Transportation Agency for review of traffic impacts. (Municipal Transportation Agency)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111053 [Memorandum of Understanding - Regional Agreement - Federal Homeland Security Grant Funds]

Sponsors: Mayor; Chiu, Farrell and Mirkarimi

Resolution approving a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San Mateo, Santa Clara, and Sonoma that: 1) provides governance structures and procedures for application, allocation, and distribution of federal Urban Areas Security Initiative (UASI) grant funds to the Bay Area Urban Area, as well as for other federal grant funds to the Bay Area Urban Area as permitted under the MOU; and 2) continues San Francisco as the primary grantee and fiscal agent for UASI grant funds to the Bay Area Urban Area, as well as for other federal grant funds to the Bay Area Urban Area as permitted under the MOU.

Resolution No. 478-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

110904 [Administrative Code - References to the Bureaus of Architecture, Engineering, and Construction Management]

Ordinance amending the San Francisco Administrative Code Section 2A.190 to deem each reference to the "Bureau of Architecture," "Bureau of Engineering," and "Bureau of Construction Management" in the San Francisco Municipal Code to be a reference to the "Department of Public Works." (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

111200 [Public Hearing - Administrative Code - Health Care Security Ordinance]

Hearing of persons interested in or objecting to proposed amendment of the whole entitled, "Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Sections 14.1.5 and 14.1.6 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to health reimbursement account remain available to the employee for two years, rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date." (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole. Regina Dick-Endrizzi, Director, Small Business Commission, provided an overview and urged support for the proposed legislation. Jim Larson; Scott Howdy; Margarita; Adam Levine; Rob Black; Joel Goldmark; Steve Falk; Greg Yoo; spoke in support of the proposed legislation. Joel Weddington; Jennifer Pielotti; Male Speaker; Aiyoko; Walter Paulson; Julie Fisher; Connie Ford; Todd Leo; Kimbo Roy; Jose; Shacon; Tim Paulson; Elizabeth Alexander; spoke objecting to the proposed legislation. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

From the Board

111030 [Administrative Code - Health Care Security Ordinance]

Sponsors: Chiu; Cohen

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Sections 14.1.5 and 14.1.6 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to a health reimbursement account remain available to the employee for two years; rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to a health reimbursement account remain available to the employee for two years; rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

111131 [Public Hearing - Ground Lease - Redevelopment Agency Land - 474 Natoma Street]

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 474 Natoma, Assessor's Block No. 3725, Lot No. 101, to 474 Natoma, LLC, a California limited liability company, an affiliate of BRIDGE Housing Corporation, a California nonprofit public benefit corporation, for 75 years, with an option to extend for 24 years, for the purpose of providing housing for very low-income households.

The President inquired as to whether any member of the public wished to address the Committee of the Whole. Sally Oerth (Redevelopment Agency) provided an overview of the project. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

111132 [Ground Lease - Redevelopment Agency Land - 474 Natoma Street]

Sponsor: Kim

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 474 Natoma, Assessor's Block No. 3725, Lot No. 101, to 474 Natoma, LLC, a California limited liability company, an affiliate of BRIDGE Housing Corporation, a California nonprofit public benefit corporation, for 75 years, with an option to extend for 24 years, for the purpose of providing housing for very low-income households.

Supervisor Kim, seconded by Supervisor Farrell, AMENDED on Page 2, Line 9, by adding 'WHEREAS, the Agency Commission approved the Ground Lease on April 9, 2011, and the Developer and the Agency executed the Ground Lease, prior to the June 28, 2011, date that AB x1 26 (the "Redevelopment Dissolution Act") became effective, and therefore the Agency is obligated to implement the Ground Lease as an "Enforceable Obligation" under California Health and Safety Code Section 34167(d)(5); and'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution No. 479-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

111227 [Public Hearing - Federal Securities Law Disclosure Responsibilities]
Sponsor: Chiu
Hearing on the disclosure responsibilities of public officials under federal securities law.

Mark Blake (City Attorney's Office) and John McNally and Sean Tierney (consulting attorneys from Hawkins, Delafield and Wood) provided an overview of the responsibilities under federal securities law. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing heard and closed.

HEARD AT PUBLIC HEARING

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Chef Mourad Lahlou of Aziza Restaurant in recognition of his accomplishments and continued community support.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Tim Hornbecker of The Arc of San Francisco in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

111125 [Public Hearing - Conditional Use Appeal - 3901 Mission Street]
Hearing of persons interested in or objecting to the decision of the Planning Commission's September 15, 2011, Conditional Use Authorization identified as Planning Case No. Case No. 2011.0664C, by its Motion No. 18442, under Planning Code Sections 711.83 and 303, to install a wireless telecommunications facility consisting of eight panel antennas and related equipment on an existing one-story commercial building as part of the AT&T wireless telecommunications network within a NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, on property located at 3901 Mission Street, Assessor's Block No. 5802, Lot No. 044. (District 9) (Appellant: Tom Cantrell, on behalf of the College Hill Neighborhood Association) (Filed October 17, 2011; Companion Measure to File Nos. 111126, 111127, 111128.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to December 13, 2011, at 3:00 p.m.

111126 [Approving Planning Commission Decision Related to Conditional Use Authorization - 3901 Mission Street]

Motion approving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111127 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 3901 Mission Street, Approving Conditional Use With Additional Conditions]

Motion disapproving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111128 [Preparation of Findings Related to the Conditional Use Authorization - 3901 Mission Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Michael Boldman; spoke expressing support for OccupySF.
Female Speaker; expressed concerns relating to sales and service retail permits.
Phillip Hackett; expressed support for a public project for poets.
David Cary; expressed various concerns relating to ranked choice voting.
Male Speaker; expressed various religious concerns.
Amy Weiss; spoke expressing support for OccupySF.
Ace Washington; expressed various concerns.
Nicholas; spoke regarding electoral debates.
Male Speaker; expressed various concerns.
Sean Simmons; spoke expressing support for OccupySF.
Scott Howdy; spoke regarding anniversary of health program.
Male Speaker; spoke regarding various forms of government.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111219 [Accept and Expend Gift - GearUp Fund - $50,000]

Sponsor: Chiu

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at $50,000 from the San Francisco Parks Trust to support the GearUp Fund.

Resolution No. 481-11

ADOPTED

111220 [Accept and Expend Grant - Oil Spill Response Planning - $10,000]

Sponsor: Cohen

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of $10,000 from the California Department of Fish and Game for oil spill response planning for the of period July 1, 2011, through June 30, 2012.

Resolution No. 482-11

ADOPTED

111221 [Multi-Family Housing Revenue Bonds, Series 2008B-Geary Senior Housing]

Sponsor: Mar

Resolution approving the execution and delivery of a First Supplemental Indenture of Trust in connection with the financing of Geary Senior Housing, authorizing consent to extension of maturity date of related loan, and granting general authority to City officials to take actions necessary to implement this resolution, and related matters.

Resolution No. 483-11

ADOPTED

111223 [Accept and Expend Gift - Recycling/Trash Containers for Golden Gate Park - $30,000]

Sponsor: Mar

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at $30,000 from the San Francisco Parks Trust for 15 state-of-the-art recycling/trash containers for Golden Gate Park.

Resolution No. 484-11

ADOPTED

111224 [Aziza Day - November 19, 2011]

Sponsor: Mar

Resolution honoring Chef Mourad Lahlou and proclaiming November 19, 2011, as "Aziza Day" in the City and County of San Francisco.

Resolution No. 486-11

ADOPTED

111225 [Accept and Expend Grant - Lighting at Mission Playground Soccer Field - $25,000]

Sponsor: Wiener

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in-place, valued at $25,000 from the United States Soccer Foundation to support the purchase of new lighting fixtures for Mission Playground Soccer Field.

Resolution No. 485-11

ADOPTED

111206 [Final Map 5165: Mission Bay]

Motion approving Final Map No. 5165, Mission Bay, a five lot subdivision of Assessor's Block No. 8727, Lot No. 5; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1; and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

Motion No. M11-169

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisors Elsbernd and Chu requested that File No. 111222 be severed so that it may be considered separately.

111222 [Opposing the Federal "Super Committee" Farm Bill Process]

Sponsor: Mar

Resolution urging our elected United States Senators and Representatives to oppose the inclusion of the Farm Bill in the "Super Committee" process and to support a full legislative process for the 2012 Farm Bill.

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED to November 22, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111246 [Administrative Code - Health Service System Contracting Authority; Employee Benefit Cafeteria Plan]

Sponsor: Chu

Ordinance amending the San Francisco Administrative Code Sections 16.900 through 16.905 and 21.02 to update provisions regarding: 1) the San Francisco Health Service System's contracting authority; and 2) the City's employee benefit Cafeteria Plan.

11/15/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

111247 [Planning Code - Permitting a Five Feet Ground Floor Height Increase in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District Along Geary Boulevard]

Sponsor: Mar

Ordinance amending the San Francisco Planning Code Section 263.20 to permit a five feet ground floor height increase in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District along Geary Boulevard, from Scott Street to 28th Avenue; and making findings, including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

11/15/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/15/2011.

111248 [Regulations for Jane Warner and Harvey Milk Plazas]
Sponsor: Wiener
Ordinance: 1) approving regulations for Jane Warner Plaza at the intersection of Castro and 17th Streets and Harvey Milk Plaza adjacent to the intersection of Castro and Market Streets; and 2) authorizing official acts in connection with the regulations.

11/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111105 [Interdepartmental Jurisdictional Transfer of Property - 341 Corbett Avenue]
Sponsor: Wiener
Ordinance transferring jurisdiction of certain unimproved real property located at 341 Corbett Avenue (Assessor's Block No. 2659, Lot No. 059) between 19th Street and Danvers Street from the Mayor's Office of Housing to the Department of Public Works.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/26/11; REFERRED TO DEPARTMENT.

11/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

111249 [Employer Pickup - Pre-Tax Payroll Deduction Plan for Service Credit Purchases (Contribution Code 14)]
Sponsor: Elsbernd
Resolution authorizing the City and County of San Francisco to implement pre-tax payroll deduction plan for all employees in CalPERS, pursuant to the Internal Revenue Code §414(h)(2).

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111250 [Sale of City Property - Northeast Corner of Fulton and Gough Streets - Boys and Girls Clubs - $2,500,000]
Sponsors: Mirkarimi; Cohen, Chiu, Avalos, Mar and Kim
Resolution authorizing: 1) the sale of City property at the northeast corner of Fulton Street and Gough Street to the Boys and Girls Clubs of San Francisco for $2,500,000 subject to a declaration of economic covenants and a project use restriction; 2) adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.
(Fiscal Impact)

11/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111251 [Opposing the Sale of Certain Rat and Mouse Poisons]
Sponsor: Cohen
Resolution urging San Francisco residents to avoid purchasing or selling certain rat and mouse poison products that have been determined by the United States Environmental Protection Agency to pose unacceptable risks to children, pets, and wildlife.

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111252 [Supporting Expansion of Boundaries - Gulf of the Farallones and Cordell Bank National Marine Sanctuaries]

Sponsor: Mirkarimi

Resolution supporting House Resolution 192 and Senate Bill 179, which will expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111253 [Accept and Expend Grant - San Francisco Arts Commission's WritersCorps Program - $70,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $70,000 from the National Endowment for the Arts Learning in the Arts for Children and Youth Program for general operating support for WritersCorps, with a grant cycle of July 1, 2011, through June 30, 2012.

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111258 [California Clerk of the Board of Supervisors Association Week - November 28 to December 2, 2011]

Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

Resolution honoring the California Clerk of the Board of Supervisors Association and recognizing the vital services performed by the Clerks of the Boards of Supervisors and their staff and proclaiming the week of November 28 to December 2, 2011 as California Clerk of the Board of Supervisors Association Week in the City and County of San Francisco. (Clerk of the Board)

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

111254 [Hearing - Recreation and Park Department Permit Parameters]

Sponsor: Avalos

Hearing requesting the Recreation and Park Department to provide information on whether the permits issued to "Off the Grid" and/or other similarly permitted events restrict the ability for individuals to engage in petitioning and leafleting on public park property during those events.

11/15/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111255 [Hearing - Budget Update for FY2012-2013]

Sponsor: Chu

Hearing to include financial update and information on budget instructions and process for FY2012-2013.

11/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111256 [Hearing - Growth of Formula Stores in San Francisco]

Sponsor: Mar

Hearing on the growth of formula stores in the City and County of San Francisco and their impacts on our small businesses, neighborhoods, workers, and economy.

11/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111257 [Hearing - Cultural Program During the America's Cup]

Sponsors: Mar; Chiu

Hearing on what the City's plans are for a cultural program during the America's Cup.

11/15/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

111208 [Administrative Code - Public Guardian/Public Administrator Gift Fund]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-190 to create a Public Guardian/Public Administrator Gift Fund to support the operations of the Public Guardian's Office, including needs assessment and conservatorship services for vulnerable persons who are unable to manage their basic personal or financial needs. (Human Services Department)

(Fiscal Impact)

11/04/11; RECEIVED FROM DEPARTMENT.

11/15/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/15/2011.

111209 [Mission Bay South - Storm Water Pump Station No. 4 Public Infrastructure Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 4 including acquisition facilities located on and under portions of State Trust Parcel Nos. 2 and 6; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

11/04/11; RECEIVED FROM DEPARTMENT.

11/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

111174 [Settlement of Unlitigated Claim - Janet O'Hara - $100,000]

Resolution approving the settlement of the unlitigated claim filed by Janet O'Hara against the City and County of San Francisco for $100,000; claim was filed on March 11, 2011. (City Attorney)

11/03/11; RECEIVED FROM DEPARTMENT.

11/15/11; RECEIVED AND ASSIGNED to Rules Committee.

111182 [Prevailing Wages for Various Workers Under Contract at City Owned Facilities]

Resolution fixing prevailing wage rates for: 1) workers performing work under City contracts for public work and improvement; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and 6) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)
(Fiscal Impact)

11/04/11; RECEIVED FROM DEPARTMENT.

11/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111201 [Agreement Amendment - Recology - Refuse Collection - Not to Exceed $27,621,479]

Resolution approving the Second Amendment to the Refuse Collection Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger, increasing the total not to exceed amount of the agreement from $23,537,527 to $29,337,527 under Charter Section 9.118(b). (Office of Contract Administration)

11/04/11; RECEIVED FROM DEPARTMENT.

11/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

Residential and Commercial Buildings
735 Fell
616 Fell, on west side
160 Pierce
701 Haight
1101 Oak
208 Scott
701 Fell, on west side
Northeast corner of Buchanan and Ivy
Approximately 619 Ivy
666 Ivy
Approximately 701 Grove
Northeast corner of Fillmore and Page
859 Fulton, on east side
950 Fillmore
Northwest corner of Geary and Fillmore
735 Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Southeast corner of Page and Laguna
Northwest corner of Buchanan and Haight
In front of 220 Fillmore
Approximately 480 Page
Approximately 595 Oak
Approximately 502 Hickory
Approximately 596 Hickory
701 Fell
735 Fell
Approximately 503 Webster
Northeast corner of Webster and Fell
658 Fell
550 Fell
Southwest corner of Webster and Hayes
776 Hayes
680 Hayes
656 Hayes
652 Hayes
Southwest corner of Laguna and Ivy
Approximately 520 Ivy
Northeast corner of Buchanan and Ivy
640 Ivy
681 Ivy
672 Ivy

Opposite 771 Grove
769 Grove
Southwest corner of Grove and Laguna
899 Fulton
Approximately 1197 McAllister
1050 McAllister
Approximately 1020 McAllister
Approximately 930 McAllister
Approximately 911 Laguna
Approximately 1140 Golden Gate
1276 Turk
Approximately 1206 Turk
847 Fillmore
Approximately 825 Fillmore
Approximately 755 Fillmore
627 Fillmore
445 Fillmore
Approximately 403 Fillmore

Wood Poles
772 Fell
650 Fell
530 Fell
722 Hayes
Near 487 Waller

Concrete Poles
Approximately 841 Fillmore
639 Fulton
Opposite 755 Grove
1949 Post
733 Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Northeast corner of Linden and Buchanan (both boxes)
Northwest corner of Webster and Hayes
Northwest corner of Webster and Grove
Northeast corner of Buchanan and Fulton
940 Fillmore
Southwest corner of McAllister and Fillmore

Bus Shelters
Northwest corner of Haight and Laguna
All four bus shelters at Haight and Fillmore
Southeast corner of Hayes and Buchanan

Emergency Box
Northwest corner of Buchanan and Turk

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Northwest corner of Geary and Fillmore
1825 Post
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Geary and Fillmore
1825 Post

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
1825 Post

Advertiser
Northwest corner of Geary and Fillmore

Jobs & Careers
1825 Post
Northwest corner of Geary and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Southwest corner of Webster and Hayes
700 Hayes
1050 McAllister
Northwest corner of Grove and Fillmore
Northwest and Southeast corners of Haight and Fillmore
Mailboxes
Northwest corner of Buchanan and Eddy
Northwest corner of McAllister and Fillmore
Northwest corner of Page and Laguna

Fire Hydrants
Southwest corner of Buchanan and Fulton
Southeast corner of Fillmore and Page

In Memoriams

Sau Yu Ho - Supervisor Kim, Board President Chiu
Jesse Morris - Supervisor Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:15 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 10, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

JAN 19 2012

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, November 22, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	**Meeting Days**
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Commissioners Fewer, Maufas, Norton, Cohen, Avalos, Chu	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Avalos, Mar	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Chiu, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Elsbernd	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 42

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of October 4, 2011, and October 18, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from John Arntz, Director of Elections, certifying the results of the votes as cast at the General Municipal Election held on November 8, 2011.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

110999 [Administrative Code - Financial Policy Regarding Selected Nonrecurring Revenues]

Sponsors: Mayor; Chiu, Farrell and Chu

Ordinance amending the San Francisco Administrative Code Section 10.60, and adding Section 10.61, to adopt a binding financial policy under Charter Section 9.120 providing that Selected Nonrecurring Revenues may only be spent on Nonrecurring Expenditures. (Controller) (Fiscal Impact.)

Ordinance No. 235-11

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

110927 [Liquor License - 3821-24th Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to James Mead, for Noe Valley Wine Merchants, located at 3821-24th Street (District 8), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 495-11

ADOPTED

110981 [Liquor License - 290-292 - 14th Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Peter Acworth for The Armory Club, located at 290-292 - 14th Street (aka 1799 Mission Street) (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 504-11

ADOPTED

110982 [Liquor License - 251 Rhode Island Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Steve and Brooke Waterhouse for the Project One Gallery, located at 251 Rhode Island Street (District 10), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 496-11

ADOPTED

Recommendations of the Land Use and Economic Development Committee

111095 [Conveyance of Easement - Silicon Valley Power - Bay Division Pipeline Nos. 3 and 4 Crossovers Project - Santa Clara]

Resolution 1) approving and authorizing conveyance of a perpetual, nonexclusive easement to Silicon Valley Power, a division of the City of Santa Clara, at no charge, for the installation, construction, operation, inspection, maintenance, repair, and replacement of electrical facilities, including underground cable, a transformer and a meter in City's real property at the Guadalupe River site off Lick Mill Boulevard in the City of Santa Clara, to provide electrical power required for the Bay Division Pipeline Nos. 3 and 4 Crossovers Project No. CUW38001; 2) adopting findings under the California Environmental Quality Act; 3) adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 4) authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

Resolution No. 503-11

ADOPTED

111113 [Accept and Expend Gift - Balboa Park Improvement Project - Valued Up to $2,500,000]

Sponsors: Mayor; Avalos

Resolution accepting and expending a gift valued up to $2,500,000 from The Trust for Public Land to the Recreation and Park Department for the Balboa Park Improvement Project.

Resolution No. 497-11

ADOPTED

Recommendation of the Public Safety Committee

110993 [Police Code - Commercial Parking Permits]

Ordinance amending the San Francisco Police Code Section 1215.2 to modify the requirements for the Chief of Police to refer applications for Commercial Parking Permits to the Municipal Transportation Agency for review of traffic impacts. (Municipal Transportation Agency)

Ordinance No. 234-11

FINALLY PASSED

Recommendation of the Rules Committee

110904 [Administrative Code - References to the Bureaus of Architecture, Engineering, and Construction Management]

Ordinance amending the San Francisco Administrative Code Section 2A.190 to deem each reference to the "Bureau of Architecture," "Bureau of Engineering," and "Bureau of Construction Management" in the San Francisco Municipal Code to be a reference to the "Department of Public Works." (Public Works Department)

Ordinance No. 233-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

111030 [Administrative Code - Health Care Security Ordinance]

Sponsors: Chiu; Cohen

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to a health reimbursement account remain available to the employee for two years; rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

See duplicated File No. 111267.

Supervisor Cohen, seconded by Supervisor Elsbernd, DUPLICATED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Ordinance No. 232-11

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

111267 [Administrative Code - Health Care Security Ordinance]

Sponsors: Chiu; Cohen

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to a health reimbursement account remain available to the employee for two years, rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

See duplicated File No. 111030.

Supervisor Cohen, seconded by Supervisor Elsbernd, moved that this Ordinance be REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

111094 [Memorandum of Understanding Amendment - Alameda County Resource Conservation District - Not to Exceed $775,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the first amendment to the Memorandum of Understanding with the Alameda County Resource Conservation District for an amount not to exceed $775,000 and with a total duration of 14 years, pursuant to Charter Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 502-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111111 [California Constitution Appropriations Limit for FY2011-2012]

Sponsor: Chu

Resolution establishing the appropriations limit for FY2011-2012 pursuant to California Constitution Article XIII(B).

Resolution No. 493-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111152 [Airport Lease and Use Agreement - Swiss International Air Lines, Limited]

Resolution approving the terms of 2011 Airline/Airport Lease and Use Agreement L11-0182 between the City and County of San Francisco and Swiss International Air Lines, Limited, to conduct international flight operations at San Francisco International Airport. (Airport Commission)

Resolution No. 501-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111153 [Contract Extension - Voting System - Not to Exceed $2,264,800]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Dominion Voting Systems for an amount not to exceed $2,264,800 and to extend the term of the contract through December 10, 2013. (Elections Department)
(Fiscal Impact)

Resolution No. 494-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111166 [Accept and Expend Grant - Health Impact Assessment for Healthy Sustainable Development - $167,061]

Sponsors: Campos; Mar

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Centers for Disease Control and Prevention, in the amount of $167,061, to fund the Health Impact Assessment for Healthy Sustainable Development for the period September 1, 2011, through August 31, 2012, and waiving indirect costs.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 500-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111172 [Supporting Goals for Federal Funding - FY2012-2013 Community Development Block Grant and Emergency Solutions Grant Programs]

Resolution supporting FY2012-2013 Community Development Block Grant and Emergency Solutions Grant Consolidated Plan goals. (Mayor's Office of Housing)

Resolution No. 498-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111173 [Funding Application - CalHome Program - $1,500,000]

Resolution authorizing the Mayor's Office of Housing to: 1) submit an application to the California Department of Housing and Community Development for funding under the CalHome Program for $1,500,000; 2) execute a standard agreement, if selected, for such funding and any amendments thereto; and 3) submit any related documents necessary to participate in the CalHome Program. (Mayor's Office of Housing)

Resolution No. 490-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111191 [Issuance of Qualified Energy Conservation Bonds - Not to Exceed $8,291,079]

Sponsor: Chu

Resolution approving the issuance of not to exceed $8,291,079 aggregate principal amount of Qualified Energy Conservation Bonds to be issued by the Public Utilities Commission of the City and County of San Francisco, acting on behalf of the City and County of San Francisco; approving the execution and delivery by the Commission of an Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, a Direct Purchase Agreement, and a Filing Agent Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters.
(Fiscal Impact)

Resolution No. 488-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111192 [Issuance of New Clean Renewable Energy Bonds - Not to Exceed $6,600,000]

Sponsor: Chu

Resolution approving the issuance of not to exceed $6,600,000 aggregate principal amount of New Clean Renewable Energy Bonds to be issued by the Public Utilities Commission of the City and County of San Francisco, acting on behalf of the City and County of San Francisco (Commission); approving the execution and delivery by the Commission of an Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, a Direct Purchase Agreement, and a Filing Agent Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters.

Resolution No. 489-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

101055 [Environment Code - Checkout Bags and Checkout Bag Charge]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by: 1) amending Section 1702 to extend the restrictions on checkout bags from supermarkets and chain pharmacies to all retail establishments and food establishments in the City and County of San Francisco, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, rising to 25 cents, if they provide a customer with a checkout bag; 3) setting an operative date of July 1, 2012; and 4) making environmental findings.
(Economic Impact)

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to December 6, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Government Audit and Oversight Committee

111075 [Campaign and Governmental Conduct Code - Televising Ethics Commission Meetings]

Sponsors: Campos; Chiu and Mar

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Section 3.301 to require the Ethics Commission to televise its meetings on San Francisco Government Television (SFGovTV).

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110931 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Continuity Reports Reviewing the State of Prior Recommendations]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Continuity Reports Reviewing the State of Prior Recommendations." (Clerk of the Board)

Resolution No. 505-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee

111076 [Allowing Playground Structures in Certain Portions of Sue Bierman Park]

Sponsors: Chiu; Mar

Ordinance amending the conditions previously placed on portions of Sue Bierman Park, authorizing the construction of playground structures, and making CEQA findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Chu, seconded by Supervisor Elsbernd, moved to suspend Rule 4.29 of the Rules of Order of the Board of Supervisors to take the 3:30 p.m. Special Commendation item out of order. The motion carried without objection.

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to the students of ChangeSF from Lincoln High School in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

111183 [Public Hearing - Conditional Use Appeal - 2041 Larkin Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's September 22, 2011, Conditional Use Authorization identified as Planning Case No. Case No. 2010.1083C, by its Motion No. 18448, under Planning Code Section 209.6(b) to install a wireless telecommunications service facility consisting of up to six panel antennas and related equipment in an existing church as part of AT&T's Wireless Telecommunications Network within the RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District, on property located at 2041 Larkin Street, Assessor's Block No. 0572, Lot No. 003. (District 3) (Appellant: Laura Albert on behalf of the Russian Hill Community Association) (Filed October 24, 2011) (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to December 6, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to December 6, 2011, at 4:00 p.m.

111184 [Approving Planning Commission Decision Related to Conditional Use Authorization - 2041 Larkin Street]

Motion approving decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 6, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111185 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 2041 Larkin Street; Approving Conditional Use With Additional Conditions]

Motion disapproving decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 6, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111186 [Preparation of Findings Related to the Conditional Use Authorization - 2041 Larkin Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 6, 2011, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 4:00 P.M.

111230 [Public Hearing - Conditional Use Appeal - 199 Leland Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission's October 6, 2011, Conditional Use Authorization identified as Planning Case No. 2011.0294C, by its Motion No. 18458, under Planning Code Sections 711.83, 303, and 790.80 to install a Wireless Telecommunications Facility consisting of nine new panel antennas on the rooftop and six new equipment cabinets in the garage of an existing three-story mixed used building that is approximately 30 feet tall within a NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, on property located at 199 Leland Avenue, Assessor's Block No. 6251, Lot No. 016. (District 10) (Appellant: Winnie Tsang on behalf of the Visitacion Valley Business Improvement Group) (Filed November 4, 2011) (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Marlene Tran (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Elena Tang; Henry Choy; Inouye Lynn; Female Speaker; Female Speaker; Nokia Choy; Female Speaker; Eric Fey; Female Speaker; Cindy Chan; Elaine Quan; Female Speaker; Jenny; Jessie; Angelo King; Lisa Lew; Inouye Ho; Yan Le; Mike; Female Speaker; Lum Foo; Female Speaker; Female Speaker; Tony; Joe Chan; Yu Gong Lum; Winnie Tsang; Laura Albert; spoke in support of the appeal. AnMarie Rodgers and Brittany Bendix (Planning Department) provided an overview of the decision of the Planning Commission. Mark Blake and Bill Hammett (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Galvin; Gene Howl; Amir Santiago; spoke in support of the project and in opposition to the appeal. Marlene Tran (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

111231 [Approving Planning Commission Decision Related to Conditional Use Authorization - 199 Leland Avenue]

Motion approving decision of the Planning Commission by its Motion No. 18458, approving Conditional Use Authorization identified as Planning Case No. 2011.0294C on property located at 199 Leland Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M11-170

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener
Noes: 1 - Mar

111232 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 199 Leland Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 18458, approving Conditional Use Authorization identified as Planning Case No. 2011.0294C on property located at 199 Leland Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener
Noes: 1 - Mar

111233 [Preparation of Findings Related to the Conditional Use Authorization - 199 Leland Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0294C on property located at 199 Leland Avenue. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener
Noes: 1 - Mar

COMMITTEE REPORTS

Recommendation of the Land Use and Economic Development Committee

111215 [Lease Agreement - State of California - Rincon Hill Dog Park]

Sponsor: Kim

Resolution approving the execution of a Lease Agreement for a portion of Assessor Block No. 3766, Lot No. 011, by and between the City and County of San Francisco, and the State of California, acting by and through its Department of Transportation (Caltrans); and adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies; and authorizing other actions in furtherance of this Resolution.

Resolution No. 492-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Female Speaker; expressed concerns relating to sales and service retail permits.
Douglas Yep; expressed various concerns.
John Howard; expressed various concerns relating to ranked choice voting.
Tom Gilberty; expressed concerns relating to noise pollution.
David Cary; expressed various concerns relating to ranked choice voting.
Robin Crock; spoke expressing support for OccupySF.
Peter Warfield; expressed concerns relating to the SF Public Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111251 [Opposing the Sale of Certain Rat and Mouse Poisons]

Sponsor: Cohen

Resolution urging San Francisco residents to avoid purchasing or selling certain rat and mouse poison products that have been determined by the United States Environmental Protection Agency to pose unacceptable risks to children, pets, and wildlife.

Resolution No. 506-11

ADOPTED

111252 [Supporting Expansion of Boundaries - Gulf of the Farallones and Cordell Bank National Marine Sanctuaries]

Sponsor: Mirkarimi

Resolution supporting House Resolution 192 and Senate Bill 179, which will expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.

Resolution No. 507-11

ADOPTED

111253 [Accept and Expend Grant - San Francisco Arts Commission's WritersCorps Program - $70,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $70,000 from the National Endowment for the Arts Learning in the Arts for Children and Youth Program for general operating support for WritersCorps, with a grant cycle of July 1, 2011, through June 30, 2012.

Resolution No. 499-11

ADOPTED

111258 [California Clerk of the Board of Supervisors Association Week - November 28 to December 2, 2011]

Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

Resolution honoring the California Clerk of the Board of Supervisors Association and recognizing the vital services performed by the Clerks of the Boards of Supervisors and their staff and proclaiming the week of November 28 to December 2, 2011 as California Clerk of the Board of Supervisors Association Week in the City and County of San Francisco. (Clerk of the Board)

Resolution No. 487-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File Nos. 111222 and 111249 be severed so that they may be considered separately.

111222 [Opposing the Federal "Super Committee" Farm Bill Process]

Sponsor: Mar

Resolution urging our elected United States Senators and Representatives to oppose the inclusion of the Farm Bill in the "Super Committee" process and to support a full legislative process for the 2012 Farm Bill.

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111249 [Employer Pickup - Pre-Tax Payroll Deduction Plan for Service Credit Purchases (Contribution Code 14)]

Sponsor: Elsbernd

Resolution authorizing the City and County of San Francisco to implement pre-tax payroll deduction plan for all employees in CalPERS, pursuant to the Internal Revenue Code §414(h)(2).

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution No. 491-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110853 [Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]

Sponsors: Mayor; Chiu

Ordinance: 1) amending the San Francisco Planning Code Section 429 to provide that developers currently required to spend 1% of construction costs for public artwork on any new development project or addition to an existing building over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that Fee to a City fund dedicated to support public art; 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district and within a half-mile of the boundary of the C-3 district to be administered and expended by the Arts Commission; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

07/19/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/18/2011
12/22/11 - Fee Ad submitted for publication; 12/25/11 & 1/2/12.

08/15/11; REFERRED TO DEPARTMENT.

08/23/11; RESPONSE RECEIVED.

10/31/11; RESPONSE RECEIVED.

11/22/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110966 [Park Code - Long Term Management Agreement with the National Park Service for Sharp Park]

Sponsor: Avalos

Ordinance amending the San Francisco Park Code Section 3.20 to: 1) require the Recreation and Park Department to offer long term management agreement to the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area's legislative boundary (Sharp Park); and 2) making environmental and other findings.

09/06/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/6/2011.

09/28/11; TRANSFERRED to Budget and Finance Committee.

10/04/11; REFERRED TO DEPARTMENT.

10/17/11; RESPONSE RECEIVED.

11/02/11; RESPONSE RECEIVED.

11/22/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

111246 [Administrative Code - Health Service System Contracting Authority; Employee Benefit Cafeteria Plan]

Sponsor: Chu

Ordinance amending the San Francisco Administrative Code Sections 16.900 through 16.905 and 21.02 to update provisions regarding: 1) the San Francisco Health Service System's contracting authority; and 2) the City's Employee Benefit Cafeteria Plan.

11/15/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

11/22/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

111267 [Administrative Code - Health Care Security Ordinance]

Sponsors: Chiu; Cohen

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to a health reimbursement account remain available to the employee for two years, rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

11/22/11; DUPLICATED.

11/22/11; REFERRED to Government Audit and Oversight Committee.

111274 [Administrative Code - Home Detention and Electronic Monitoring Program]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Administrative Code Section 13.63 and adding Section 13.64 to: 1) conform with the provisions with Assembly Bill 109 regarding realignment, specifically, adding information relating to home detention; and 2) add information relating to an electronic monitoring program in lieu of bail.

11/22/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 12/22/2011.

111275 [Campaign and Governmental Conduct Code - Campaign Finance Reform Ordinance]

Sponsor: Wiener

Ordinance amending the Campaign and Governmental Conduct Code, Campaign Finance Reform Ordinance, Article I, Chapter 1 to: 1) modify and streamline disclaimer and reporting requirements for candidates and third parties raising and spending funds in local elections; 2) require the Ethics Commission to provide public notice when thresholds are met; 3) eliminate the overall contribution limit on contributions to all candidates on the ballot in a single election; and 4) make various reporting and disclaimer requirements parallel to requirements in State law.

11/22/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/22/2011.

111277 [Campaign and Governmental Conduct Code - Certification of Supervisorial Candidates' Eligibility for Public Financing in 2012]

Sponsor: Cohen

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.142 to delay the certification of 2012 supervisorial candidates seeking public financing until the Redistricting Task Force completes its revision of supervisorial district boundaries.

11/22/11; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 12/22/2011.

111278 [Planning Code, Zoning Map - Establishing the Art and Design Educational Special Use District at 1111 Eighth Street]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code by adding Section 249.66 and amending Section Map SU08 of the Zoning Map to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

11/22/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111281 [Sidewalk Width Changes - Establishing a Streamlined Process for Certain Changes]

Sponsors: Mayor; Wiener

Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance.

11/22/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111282 [Accept and Expend Grant - Reentry SF Program and Amendment to the Annual Salary Ordinance - $747,818]

Sponsor: Mayor

Ordinance authorizing the Adult Probation Department to retroactively accept and expend a grant in the amount of $747,818 from the United States Department of Justice to implement Reentry SF Program, a comprehensive reentry pathway for people on post-release community supervision in San Francisco, and amending Ordinance No. 0146-11 (Annual Salary Ordinance, FY2011-2012) to reflect addition of one (1) Class 1823 Senior Administrative Analyst grant-funded position (0.50 FTE) in the Adult Probation Department.
(Fiscal Impact)

11/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

111259 [Declaration of the November 8, 2011, Election Results]

Sponsor: Chiu

Resolution declaring the results of the November 8, 2011, Consolidated General Election.

11/22/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111268 [Recommending a Multi-Language Multiple-Offender Driving Under the Influence Program]

Sponsors: Mar; Elsbernd

Resolution recommending the National Council on Alcoholism and Other Drug Addictions be licensed to offer a Russian language multiple-offender driving under the influence program in the City and County of San Francisco.

11/22/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111269 [Supporting Policy Restricting Use of Local Funds to Respond to Civil Immigration Detainers]

Sponsors: Mar; Chiu, Campos, Kim and Avalos

Resolution supporting adoption by the San Francisco Sheriff's Department and the San Francisco Juvenile Probation Department of a policy restricting use of local funds to respond to civil immigration detainers.

11/22/11; RECEIVED AND ASSIGNED to Public Safety Committee.

111272 [Airport Concession Lease Correction - J. Avery Enterprises]

Sponsor: Chu

Resolution correcting Resolution No. 220-11, which approved Amendment No. 1, retroactive to April 14, 2011, to Domestic Terminal Food and Beverage Lease No. 03-0192 with J. Avery Enterprises, dba Klein's Deli, and the City and County of San Francisco, acting by and through its Airport Commission.

11/22/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111273 [Accept and Expend Grant - FY2009 Buffer Zone Protection Program - $199,820]

Sponsor: Elsbernd

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2009 Buffer Zone Protection Program grant in the amount of $199,820 from the U.S. Department of Homeland Security, through the California Emergency Management Agency, to fund critical infrastructure protection needs.

11/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111276 [Multifamily Housing Revenue Bonds, Series 2011C - Natoma Family Apartments - Not to Exceed $18,000,000]

Sponsor: Kim

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $18,000,000 for the purpose of providing financing for the acquisition and construction of a 60-unit multifamily rental housing project known as Natoma Family Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

11/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111279 [Doris Blum Day - November 9, 2011]

Sponsor: Farrell

Resolution commending Doris Blum on her 100th Birthday and proclaiming November 9, 2011, as Doris Blum Day in the City and County of San Francisco.

111280 [Accept and Expend Grant - Pest Exclusion/Nursery Inspection - $500]

Sponsor: Mayor

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant (Agreement #11-0220-SA) in the amount of $500, from the California Department of Food and Agriculture to fund the program Pest Exclusion/Nursery Inspection for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

11/22/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111283 [Expressing Concern Over Federal Cuts to Medicaid and Medicare Programs]

Sponsor: Cohen

Resolution expressing concern over proposed Federal cuts to Medicaid and Medicare programs that will result in impacts to healthcare access for residents of the City and County of San Francisco.

Motions

111270 [Committee of the Whole - Hearing on the Status of Negotiations Between the Mayor's Office and California Pacific Medical Center - December 13, 2011]

Sponsor: Mar

Motion scheduling the Board to sit as a Committee of the Whole on December 13, 2011, at 4:00 p.m., to hold a public hearing on the status of negotiations between the Mayor's Office and California Pacific Medical Center (CPMC) regarding CPMC's Long Range Development Plan.

11/22/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests for Hearing

111271 [Hearing - California Pacific Medical Center Negotiations Status Regarding Long Range Development Plan]

Sponsor: Mar

Hearing to hear all persons interested in commenting on the status of negotiations between the Mayor's Office and California Pacific Medical Center (CPMC) regarding CPMC's long range development plan.

11/22/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111284 [Hearing - City's Arts Programs that Serve Cultural Communities]

Sponsor: Chiu

Hearing to review the City's arts programs that serve cultural communities.

11/22/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111092 [Hearing - 8 Washington Development and Waterfront Upzoning]
Sponsor: Chiu
Hearing on proposed waterfront upzoning for the 8 Washington Street development and subsequent projects.

10/04/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

11/22/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

111239 [Police Code - Vehicle Press Cards]
Ordinance amending San Francisco Police Code Sections 939, 939.1, 939.3, 939.5, and 939.7, and repealing San Francisco Police Code Sections 939.2, 939.4, and 939.6 to remove the Chief of Police's authority to issue or regulate Vehicle Press Cards. (Municipal Transportation Agency)

11/14/11; RECEIVED FROM DEPARTMENT.

11/22/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 12/22/2011. MTA does not wish to have ths item scheduled in Commitee until further notice, per Janet Martinsen, 701-4693.

111240 [General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]
Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

11/14/11; RECEIVED FROM DEPARTMENT.

11/22/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

111241 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]
Resolution approving the 36th Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to increase the premises by adding Building 449 located at Avenue C and 4th Street. (Treasure Island Development Authority)

11/09/11; RECEIVED FROM DEPARTMENT.

11/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111242 [Sublease Amendment - Swords to Plowshares, Inc. - 1441 and 1443 Chinook Court]

Resolution authorizing the execution of a Second Amendment to Sublease between the Treasure Island Development Authority and Swords to Plowshares, Inc., for premises located at 1441 and 1443 Chinook Court. (Treasure Island Development Authority)

11/09/11; RECEIVED FROM DEPARTMENT.

11/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111243 [Sublease Amendment - Haight Ashbury Free Clinics, Walden House - 1440 Chinook Court]

Resolution authorizing the execution of a Third Amendment to Sublease and Consent to Assignment between the Treasure Island Development Authority and Haight Ashbury Free Clinics, Inc., dba Haight Ashbury Free Clinics - Walden House, for premises located at 1440 Chinook Court. (Treasure Island Development Authority)

11/09/11; RECEIVED FROM DEPARTMENT.

11/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111244 [Settlement of Unlitigated Performance Bond Claim - Travelers Casualty and Surety Company of America - City to Receive $250,000]

Resolution authorizing settlement of an unlitigated performance bond claim by the San Francisco Airport Commission against Travelers Casualty and Surety Company of America relating to a lease default by Mexicana Airlines. (City Attorney)

11/10/11; RECEIVED FROM DEPARTMENT.

11/22/11; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriam

Amy Faye Talisman - Supervisor Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:49 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 10, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

JAN 3 0 2012

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Tuesday, December 6, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Commissioners Fewer, Maufas, Norton, Cohen, Avalos, Chu	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Avalos, Mar	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Chiu, Campos	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Elsbernd	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 43

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of October 25, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor communicating the Mayor's notice of appointments to the Human Rights Commission, under Charter Section 3.100(18), appointments are effective unless rejected within 30 days by a 2/3rd vote of the Board.

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

111076 [Allowing Playground Structures in Certain Portions of Sue Bierman Park]

Sponsors: Chiu; Mar

Ordinance amending the conditions previously placed on portions of Sue Bierman Park, authorizing the construction of playground structures, and making CEQA findings.

Ordinance No. 236-11

FINALLY PASSED

Recommendations of the Rules Committee

111135 [Settlement of Lawsuit - Diane Bauer - $35,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Diane Bauer against the City and County of San Francisco for $35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111136 [Settlement of Lawsuit - David Cheung - $80,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually, and dba Kwok Shing Hong, against the City and County of San Francisco for $80,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111137 [Settlement of Lawsuit - Elaine Choy - $28,850]
Ordinance authorizing settlement of the portion of the lawsuit filed by Elaine Choy against the City and County of San Francisco for $28,850; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111138 [Settlement of Lawsuit - Shonna Cook - $27,785]
Ordinance authorizing settlement of the portion of the lawsuit filed by Shonna Cook against the City and County of San Francisco for $27,785; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111139 [Settlement of Lawsuit - James Cordova/Maria Morales - $26,965]
Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for $26,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111140 [Settlement of Lawsuit - Brenda Dickson - $28,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Brenda Dickson against the City and County of San Francisco for $28,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111141 [Settlement of Lawsuit - Susan Garduno - $25,730]
Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for $25,730; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111142 [Settlement of Lawsuit - KLW, LLC - $110,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC, against the City and County of San Francisco for $110,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111143 [Settlement of Lawsuit - Lawrence LaBianca - $34,965]
Ordinance authorizing settlement of the portion of the lawsuit filed by Lawrence LaBianca against the City and County of San Francisco for $34,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111144 [Settlement of Lawsuit - Jane Martin and David Baker - $50,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for $50,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111145 [Settlement of Lawsuit - Pat Moore and Tom Moore - $30,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore and Tom Moore against the City and County of San Francisco for $30,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111146 [Settlement of Lawsuit - James Ramsey and Patricia Carazo Ramsey - $33,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by James Ramsey and Patricia Carazo Ramsey against the City and County of San Francisco for $33,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111147 [Settlement of Lawsuit - Sally Seid - $27,815]

Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for $27,815; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111148 [Settlement of Lawsuit - Angela Sinicropi and Martin Takigawa - $26,820]

Ordinance authorizing settlement of the portion of the lawsuit filed by Angela Sinicropi and Martin Takigawa against the City and County of San Francisco for $26,820; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111149 [Settlement of Lawsuit - Sunday Bazaar/2170 Folson, LLC - $60,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folson, LLC, against the City and County of San Francisco for $60,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111150 [Settlement of Claim - James Christian - $200,000]

Resolution approving the settlement of the unlitigated claim filed by James Christian against the City and County of San Francisco for $200,000; claim was filed on May 31, 2011. (City Attorney)

Resolution No. 513-11

ADOPTED

111178 [Appointments, Medical Cannabis Task Force - Hunter Holliman, Leonard Watkins, Martin Olive, Sarah Shrader, Brent Saupe, and Jean Talleyrand]

Motion appointing Hunter Holliman, Leonard Watkins (residency requirement waived), Martin Olive, Sarah Shrader, Brent Saupe, and Jean Talleyrand, terms ending December 31, 2012, to the Medical Cannabis Task Force. (Clerk of the Board)

Hunter Holliman, seat 2, succeeding David Goldman, resigned, must be a representative of a local patient advocacy organization with a background in working to protect the interests of medical cannabis patients, for a term ending December 31, 2012.

Leonard Watkins, seat 4 (residency requirement waived), succeeding Mary Schroeder, resigned, must be a representative of a hospice or a residential care facility with a background as an employee or volunteer in direct services working with medical cannabis patients or as a nurse or physician with a background in working with or treating of medical cannabis patients, for a term ending December 31, 2012.

Martin Olive, seat 6, succeeding Martin Olive, term expired, must be a person with a background in the management of a medical cannabis dispensary, for a term ending December 31, 2012.

Sarah Shrader, seat 8, succeeding Sarah Shrader, term expired, must be a representative of a drug policy organization working specifically on medical cannabis issues, for a term ending December 31, 2012.

Brent Saupe, seat 10, succeeding Albert Blais, resigned, must be a person with a background in providing medical cannabis to low-income patients, for a term ending December 31, 2012.

Jean Talleyrand, seat 15, new appointment, must be a licensed or an accredited health care practitioner practicing in San Francisco with a background in medical cannabis and familiarity with the laws and regulations governing medical cannabis, for a term ending December 31, 2012.

Motion No. M11-171

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

101055 [Environment Code - Checkout Bags and Checkout Bag Charge]

Sponsors: Mirkarimi; Avalos and Campos

Ordinance amending the San Francisco Environment Code by: 1) amending Section 1702 to extend the restrictions on checkout bags from supermarkets and chain pharmacies to all retail establishments and food establishments in the City and County of San Francisco, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, rising to 25 cents, if they provide a customer with a checkout bag; 3) setting an operative date of July 1, 2012; and 4) making environmental findings.

(Economic Impact)

Privilege of the floor was granted to Melanie Nutter, Director, Department of Environment, who provided an overview and responded to questions raised throughout the discussion.

Supervisor Mirkarimi, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Ordinance amending the San Francisco Environment Code by: 1) amending Section 1702 to extend the restrictions on checkout bags from supermarkets and chain pharmacies to all retail establishments and food establishments in the City and County of San Francisco, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, if they provide a customer with a checkout bag; 3) setting an operative date of October 1, 2012; and 4) making environmental findings.

Supervisor Kim, seconded by Supervisor Chu, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to February 7, 2012. The motion carried by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 4 - Avalos, Campos, Mar, Mirkarimi

Recommendation of the Government Audit and Oversight Committee

111075 [Campaign and Governmental Conduct Code - Televising Ethics Commission Meetings]

Sponsors: Campos; Chiu and Mar

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Section 3.301 to require the Ethics Commission to televise its meetings on San Francisco Government Television (SFGovTV).

Ordinance No. 237-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

111096 [Contract Amendment - Western Area Power Administration - Electric Services - Not to Exceed $15,950,888]

Ordinance approving the second amendment to the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of the San Francisco Administrative Code Section 21.19 which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of the San Francisco Administrative Code Section 21.35 which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission) (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111101 [Administrative, Business and Tax Regulations, Fire, Health, and Police Codes - Business License Fees]

Sponsors: Chiu; Chu, Kim and Cohen

Ordinance amending various sections of the San Francisco Business and Tax Regulations Code, Administrative Code, Fire Code, Health Code, and Police Code to: 1) establish March 31 as the date for the annual renewal of certain business licenses; 2) apply a schedule of penalties for failure to timely renew certain business licenses; and 3) require Departments to post current business license fees on their websites. (Treasurer-Tax Collector)

Supervisors Kim and Cohen requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111102 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Compensation Paid to Individuals with a Felony Conviction]

Sponsors: Mirkarimi; Campos

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a Payroll Expense Tax exclusion for compensation paid to individuals who have a felony conviction.
(Fiscal Impact)
(Supervisor Chu dissented in Committee.)

A motion was made by Supervisor Cohen, seconded by Supervisor Elsbernd, that this matter be RE-REFERRED to the Budget and Finance Committee. The motion FAILED by the following vote:

Ayes: 4 - Chiu, Chu, Cohen, Wiener
Noes: 7 - Avalos, Campos, Elsbernd, Farrell, Kim, Mar, Mirkarimi

NOT PASSED ON FIRST READING by the following vote:

Ayes: 5 - Campos, Cohen, Kim, Mar, Mirkarimi
Noes: 6 - Avalos, Chiu, Chu, Elsbernd, Farrell, Wiener

111154 [Agreement - Tracking Environmental Attributes]

Ordinance approving a contract between the City and County of San Francisco and the Western Renewable Energy Generation Information System for: 1) documenting and tracking environmental attributes at an estimated initial cost of $4,500 per year, depending on account activity; 2) waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, waiving the requirement of Section 21.9(b) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision, waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, waiving the requirement of Section 12F.5 of the San Francisco Administrative Code that every contract contain a statement urging companies abide by the MacBride Principles, and waiving the requirement of Section 12O.2 of the San Francisco Administrative Code that every contractor provide EIC forms to eligible employees; and 3) authorizing the San Francisco Public Utilities Commission to enter other similar contracts for tracking environmental attributes. (Public Utilities Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111110 [Placing Funds for Defense of Special Circumstances Cases on Controller Reserve and Establishing Release Guidelines]

Sponsor: Campos

Resolution placing funds intended for defense of special circumstances cases on Controller reserve and adopting guidelines for release of such funds.

Resolution No. 512-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111193 [Real Property Lease - 6th Street Baldwin House, LLC - 72-6th Street]

Sponsors: Mayor; Kim

Resolution authorizing the lease with 6th Street Baldwin House, LLC, of approximately 1,932 rentable square feet of ground space located at 72-6th Street for the Police Department.

Resolution No. 519-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111218 [Apply for, Accept and Expend Grant - Community of Veterans Engaged in Restoration Program - $249,662]

Sponsor: Mayor

Resolution authorizing the Sheriff's Department to retroactively apply for, accept and expend $249,662 in funds from the Office of Justice Programs, through the Justice and Mental Health Collaboration Program, the Community of Veterans Engaged in Restoration Program will strive to increase public safety and reduce recidivism among incarcerated and recently released veterans with post-traumatic stress disorder in the City and County of San Francisco.

Resolution No. 514-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Land Use and Economic Development Committee

111151 [Public Improvements Acceptance - Bayshore Boulevard at Waterloo Street]

Ordinance: 1) accepting an irrevocable offer for improvements and real property related to the widening of Bayshore Boulevard at Waterloo Street and accepting a grant deed for these purposes; 2) declaring such area to be open public right-of-way and dedicating it for right-of-way and roadway purposes; 3) accepting maintenance and liability for this area subject to certain limitations; 4) establishing sidewalk width change for this area; 5) making findings, including environmental findings and general plan and priority policy findings; and 6) authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111080 [Zoning Map - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Sponsor: Kim

Ordinance amending the San Francisco Planning Code Sectional Map ZN01 of the Zoning Maps to change the use classification of 676 Howard Street (Block No. 3722, Lot No. 28) from Public (P) to Downtown-Support District (C-3-S) and a portion of 935 Folsom Street (Block No. 3753, Lot No. 140) from Mixed Use-Residential (MUR) to Public (P) as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111213 [Summary Vacation - Hunt Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Sponsor: Kim

Ordinance ordering the summary vacation of Hunt Street as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111240 [General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111214 [Real Property Lease - San Francisco Community College District - Near the Intersection of Phelan and Ocean Avenues]

Sponsor: Elsbernd

Resolution approving the lease of property near the intersection of Phelan and Ocean Avenues for a public plaza for seventy-five years to San Francisco Community College District, an institution of higher education organized under the State of California Education Code; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this Resolution.

Resolution No. 515-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

111050 [Administrative Code - San Francisco Sentencing Commission and Recidivism Reduction Ordinance of 2011]

Sponsors: Wiener; Farrell, Cohen and Chiu

Ordinance amending the San Francisco Administrative Code by adding Article XXV, Sections 5.250 through 5.250-4 to: 1) establish the San Francisco Sentencing Commission; 2) set forth the Commission's purpose, powers, and duties; and 3) establish membership criteria.

Supervisor Chiu requested to be added as a co-sponsor.

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Chiu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the winners of the Great Race in recognition of their accomplishments and continued community support.

The Board of Supervisors introduced, welcomed, and presented a Certificate of Honor to Eng Eng Chan, Senior Personnel Analyst, of the Office of the Clerk of the Board, in recognition of her 30 years of service to the City and County of San Francisco upon her retirement.

SPECIAL ORDER 4:00 P.M.

Supervisor Elsbernd was noted absent at 4:36 p.m., and noted present at 4:52 p.m.
Supervisor Cohen was noted absent at 4:55 p.m., and noted present at 5:17 p.m.

111183 [Public Hearing - Conditional Use Appeal - 2041 Larkin Street]
Hearing of persons interested in or objecting to the decision of the Planning Commission's September 22, 2011, Conditional Use Authorization identified as Planning Case No. Case No. 2010.1083C, by its Motion No. 18448, under Planning Code Section 209.6(b) to install a wireless telecommunications service facility consisting of up to six panel antennas and related equipment in an existing church as part of AT&T's Wireless Telecommunications Network within the RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District, on property located at 2041 Larkin Street, Assessor's Block No. 0572, Lot No. 003. (District 3) (Appellant: Laura Albert on behalf of the Russian Hill Community Association) (Filed October 24, 2011) (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Kathleen Courtney, Felix Litman, and Donald David (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Lily Lee; Martha Silvia Solotar; Male Speaker; Chris Mittelstaedt; Laura Albert; John Lamkin; Leslie de Taillandier; Grant Faulkner; Isaac Constantine; Marlene Tran; Male Speaker; Walter Paulson; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jennifer Hayes, John di Bene, and Bill Hammett (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Donald David (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

111184 [Approving Planning Commission Decision Related to Conditional Use Authorization - 2041 Larkin Street]

Motion approving decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener
Noes: 3 - Avalos, Mar, Mirkarimi

111185 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 2041 Larkin Street; Approving Conditional Use With Additional Conditions]

Motion disapproving decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener
Noes: 3 - Avalos, Mar, Mirkarimi

Motion disapproving decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18448, and further subject to additional conditions imposed by the Board of Supervisors on December 6, 2011. (Clerk of the Board)

Motion No. M11-172

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener
Noes: 3 - Avalos, Mar, Mirkarimi

111186 [Preparation of Findings Related to the Conditional Use Authorization - 2041 Larkin Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street.

Motion No. M11-173

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener
Noes: 3 - Avalos, Mar, Mirkarimi

SPECIAL ORDER 4:00 P.M.

111235 [Public Hearing - Tentative Parcel Map Appeal - 1138-1140 Page Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 31, 2011, approving a Tentative Parcel Map for a 4-unit new construction condominium subdivision located at 1138-1140 Page Street, Assessor's Block No. 1219, Lot No. 011. (District 5) (Appellant: Fazilat Kazeminezhad on behalf of Page Group, LLC) (Filed November 10, 2011) (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Fazilat Kazeminezhad (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Walter Paulson; spoke in support of the appeal. Bruce Storrs (Department of Public Works) and AnMarie Rodgers (Planning Department) provided an overview of the decision of the Department of Public Works. John O'Connor (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Department of Public Works. Shawn Yeager; spoke in support of the project and in opposition to the appeal. Marie Maldonavan (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

111236 [Approving the Department of Public Works Decision and Approving the Tentative Parcel Map - 1138-1140 Page Street]

Motion finding the Tentative Parcel Map for a 4-unit new construction condominium subdivision located at 1138-1140 Page Street, Assessor's Block No. 1219, Lot No. 011, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works; and approving the Tentative Parcel Map. (Clerk of the Board)

Motion No. M11-174

Supervisor Elsbernd, seconded by Supervisor Kim, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111237 [Disapproving the Department of Public Works Decision and Disapproving the Tentative Parcel Map - 1138-1140 Page Street]

Motion finding the Tentative Parcel Map for a 4-unit new construction condominium subdivision at 1138-1140 Page Street, Assessor's Block No. 1219, Lot No. 011, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; disapproving the decision of the Department of Public Works; and disapproving the Tentative Parcel Map. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Kim, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111238 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1138-1140 Page Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 4-unit new construction condominium conversion subdivision located at 1138-1140 Page Street, Assessor's Block No. 1219, Lot No. 011. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Kim, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMITTEE REPORTS

Referred from the City Operations and Neighborhood Services Committee Without Recommendation

110966 [Park Code - Long Term Management Agreement with the National Park Service for Sharp Park]

Sponsor: Avalos

Ordinance amending the San Francisco Park Code Section 3.20 to: 1) require the Recreation and Park Department to offer long term management agreement to the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area's legislative boundary (Sharp Park); and 2) making environmental and other findings.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi, Wiener
Noes: 4 - Chu, Cohen, Elsbernd, Farrell

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED on Page 7, beginning on Line 5, by adding '(h) Nothing in this Ordinance precludes the General Manager from entering into negotiations with other third parties for the lease, contract or agreement for operation of the golf course, subject to the restriction on new leases set forth in subsection (b), above. Any such agreement shall be subject to the approval of the Board of Supervisors.'. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi, Wiener
Noes: 4 - Chu, Cohen, Elsbernd, Farrell

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Elsbernd was noted absent at 7:18 p.m., and noted present at 7:32 p.m.
Supervisor Farrell was noted absent at 7:18 p.m., and noted present at 7:32 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Barbara Tengeri; spoke regarding cultural dance.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to foreclosure evictions.
Maggie; expressed concerns relating to foreclosure evictions.
Tom Gilberty; expressed concerns relating to noise pollution.
Alex Samayoa; expressed concerns relating to foreclosure evictions.
Greg Ledbetter; spoke in support of medical cannabis.
Christie Hakim; expressed concerns relating to foreclosure evictions.
Michael Goldman; expressed concerns relating to foreclosure evictions and support for OccupySF.
John Scone; spoke in support of medical cannabis.
Shawna Goedner; spoke in support of medical cannabis.
Hewitt Crane; spoke in support of medical cannabis.
Marky Kranze; spoke in support of medical cannabis.
Staysha; spoke in support of medical cannabis.
Teresa Cooper; spoke in support of medical cannabis.
John Gallo; spoke in support of medical cannabis.
Female Speaker; spoke in support of medical cannabis.
Female Speaker; expressed concerns relating to Parkmerced.
David Cary; expressed various concerns relating to ranked choice voting.
Male Speaker; spoke in support of medical cannabis.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111259 [Declaration of the November 8, 2011, Election Results]

Sponsor: Chiu
Resolution declaring the results of the November 8, 2011, Consolidated General Election.

Resolution No. 508-11

ADOPTED

111272 [Airport Concession Lease Correction - J. Avery Enterprises]

Sponsor: Chu
Resolution correcting Resolution No. 220-11, which approved Amendment No. 1, retroactive to April 14, 2011, to Domestic Terminal Food and Beverage Lease No. 03-0192 with J. Avery Enterprises, dba Klein's Deli, and the City and County of San Francisco, acting by and through its Airport Commission.

Resolution No. 516-11

ADOPTED

111279 [Doris Blum Day - November 9, 2011]

Sponsor: Farrell

Resolution commending Doris Blum on her 100th Birthday and proclaiming November 9, 2011, as Doris Blum Day in the City and County of San Francisco.

Resolution No. 520-11

ADOPTED

111280 [Accept and Expend Grant - Pest Exclusion/Nursery Inspection - $500]

Sponsor: Mayor

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant (Agreement #11-0220-SA) in the amount of $500, from the California Department of Food and Agriculture to fund the program Pest Exclusion/Nursery Inspection for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

Resolution No. 517-11

ADOPTED

111283 [Expressing Concern Over Federal Cuts to Medicaid and Medicare Programs]

Sponsor: Cohen

Resolution expressing concern over proposed Federal cuts to Medicaid and Medicare programs that will result in impacts to healthcare access for residents of the City and County of San Francisco.

Resolution No. 521-11

ADOPTED

111292 [Accept and Expend Grant - Organic Program - $3,100]

Sponsor: Mar

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant (Agreement #11-0113-SA) from the California Department of Food and Agriculture in the amount of $3,100 to fund the Organic Program for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

Resolution No. 511-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 111268 be severed so that it may be considered separately.

111268 [Recommending a Multi-Language Multiple-Offender Driving Under the Influence Program]

Sponsors: Mar; Elsbernd

Resolution recommending the National Council on Alcoholism and Other Drug Addictions be licensed to offer a Russian language multiple-offender driving under the influence program in the City and County of San Francisco.

Supervisor Mar, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution recommending the National Council on Alcoholism and Other Drug Addictions be licensed to offer a multiple-offender driving under the influence program in languages other than Spanish in the City and County of San Francisco.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Resolution No. 518-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111315 [Planning Code - Automobile Sale or Rental in NC-S Districts]

Sponsor: Elsbernd

Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/06/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/5/2012.

111316 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]

Sponsor: Chiu

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, Section 906.4 to clarify the amount of payroll expense tax attributable to stock-based compensation that a person may exclude from its payroll expense tax liability.

12/06/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/5/2012.

Resolutions

111317 [Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]

Sponsor: Chiu

Resolution approving Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.
(Fiscal Impact)

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111318 [Accept and Expend Grant - Lead Hazard Reduction Demonstration Program for FY2011-2012 - $2,500,000 and Program Income Not to Exceed $200,000]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing to retroactively accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in the amount of $2,500,000 and program income not to exceed $200,000.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111319 [Commending Supervisor and Sheriff-Elect Ross Mirkarimi]

Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener

Resolution commending and honoring Supervisor Ross Mirkarimi for his distinguished service as a member of the Board of Supervisors of the City and County of San Francisco and congratulating him on his election to the Office of Sheriff.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111320 [Supporting Assembly Concurrent Resolution 42 - "Eat Local, Buy California Grown Day"]

Sponsors: Chu; Mar and Campos

Resolution supporting Assembly Concurrent Resolution 42, encouraging families, restaurants, and grocers to buy California-grown floriculture, fiber, and foods, and declaring Sundays as "Eat Local, Buy California Grown Day" in the City and County of San Francisco.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111321 [Accept and Expend Grant - Justice Reinvestment Initiative - $100,000]

Sponsor: Cohen

Resolution authorizing the Adult Probation Department as lead staff to the Reentry Council of San Francisco to accept and expend a technical assistance grant with a cash value of $100,000 from the United States Department of Justice, awarded to the Reentry Council, for activities related to the Justice Reinvestment Initiative.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111322 [Honoring Warren Hellman - Renaming Speedway Meadow as Hellman Meadow]

Sponsors: Elsbernd; Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi and Wiener

Resolution honoring Warren Hellman and supporting the decision to rename Golden Gate Park's Speedway Meadow as Hellman Meadow.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111323 [Amy L. Brown Day - January 6, 2012]

Sponsors: Elsbernd; Chiu, Chu, Mar and Campos

Resolution honoring Amy L. Brown and proclaiming January 6, 2012, to be "Amy L. Brown Day" in the City and County of San Francisco.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111324 [Recognizing the 90th Anniversary of the San Francisco Office of the Public Defender]

Sponsors: Mirkarimi; Mar and Campos

Resolution recognizing that the San Francisco Office of the Public Defender, founded in 1921, is celebrating its 90th anniversary this year.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111327 [Commending Sheriff Michael Hennessey]

Sponsors: Mirkarimi; Farrell, Avalos, Chiu, Elsbernd, Wiener, Chu, Cohen, Campos, Kim and Mar

Resolution commending and honoring Sheriff Michael Hennessey for his distinguished tenure as the longest serving Sheriff of the City and County of San Francisco and congratulating him on his retirement.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

111325 [Hearing - City's Response to the Surge in Homeless Families]

Sponsor: Avalos

Hearing on the City's response to the surge in homelessness among families, and for various City agencies, including the Human Services Agency and the Housing Authority, to outline their response to the crisis, including: 1) any plans to expand the rental subsidy program; 2) any plans to address the loss in federal homeless prevention and rapid re-housing funds; 3) any plans to increase homeless prevention efforts; 4) any plans to expedite the filling of vacant San Francisco Housing Authority units and moving homeless families into them; and 5) ways that we can protect households from foreclosure evictions.

12/06/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

111285 [Changing the Official Sidewalk Width - Portion of Mason Street]

Sponsor: Chiu

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1590 to change the official sidewalk width of Mason Street starting at the southwest corner of the intersection of Mason Street and Washington Street and continuing south 29.52 feet; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

11/17/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111286 [Settlement of Lawsuit - Patricia Sancinito - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Patricia Sancinito against the City and County of San Francisco and Laguna Honda Hospital for $75,000; the lawsuit was filed on May 19, 2011, in San Francisco Superior Court, Case No. CGC-11-511076; entitled Patricia Sancinito v. City and County of San Francisco, Laguna Honda Hospital. (City Attorney)

11/22/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Rules Committee.

111287 [Settlement of Lawsuit - Mitchell Engineering/Obayashi Corporation, JV - $14,950,000]

Ordinance authorizing settlement of the lawsuit entitled Mitchell Engineering/Obayashi Corporation, JV (MEOC) v. City and County of San Francisco, et al., and related cross-actions, Santa Clara County Superior Court Case No. 1-08-CV-116915 by payment of $14,950,000 from the City to MEOC. (City Attorney)

11/22/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Rules Committee.

111288 [Waiving the Competitive Bid Requirements and Approving Modified Indemnification Clause for the Design of a Runway Safety Area Engineered Material Arresting System]

Ordinance waiving the competitive bid requirements of San Francisco Administrative Code Chapter 6, approving a modified indemnification clause pursuant to the requirements of Chapter 6, and authorizing the Airport Commission to award a contract to complete the design of a runway safety area engineered material arresting system. (Airport Commission)
(Fiscal Impact)

11/22/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

111289 [Airport Concession Lease Amendment - Boarding Area F Principal Retail - Pacific Gateway Concessions, LLC]

Resolution approving Amendment No. 1 to Boarding Area "F" Principal Retail Concession Lease No. 04-0139 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

11/21/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111290 [Airport Lease Modification - United Air Lines, Inc.]

Resolution approving and authorizing the execution of Modification No. 1 of Lease L00-0464 at Plot 6 with United Air Lines, Inc., at San Francisco International Airport to: 1) extend the term; 2) reduce the demised premises; 3) modify the annual rent; 4) provide for a deferred City improvements payment to City; and 5) provide for certain terms of retroactivity relating to the rent and the deferred City improvements payment. (Airport Commission)
(Fiscal Impact)

11/21/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:
Residential and Commercial Buildings
312 Divisadero
930 Haight
208 Scott
799 Haight
334 Divisadero
344 Divisadero
505 Divisadero
507 Divisadero
1290 Hayes, on East side
607 Divisadero
616 Divisadero
838 Divisadero
848 Divisadero
860 Divisadero
1034 Divisadero
1234 Divisadero
1347 Divisadero
1363 Divisadero
1854 Divisadero
Southwest corner of Scott and Geary
Approximately 2609 Pine
1513 Golden Gate
1949 Post, on roll down gate
Northeast corner of Scott and Haight
Parking Lots
Northwest corner of Grove and Gough
Billboards
Approximately 1280 Hayes
Vacant Lots
Approximately 1280 Hayes

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following utility poles:
Metal Poles
Approximately 2110 Post
Approximately 2010 Post
2281 Sutter
1861 Scott
1807 Scott
Northeast corner of Waller and Castro
In front of 248 Fillmore
Southwest corner of Buchanan and Haight
In front of 351 Haight
Approximately 2621 Bush
Southeast corner of Garden and Broderick
2299 Post

Approximately 1415 Scott
Southeast corner of McAllister and Scott
1477 McAllister
740 Haight
210 Divisadero
Southwest corner of O'Farrell and Divisadero
Northwest corner of O'Farrell and Divisadero
275 Divisadero
280 Divisadero
334 Divisadero
352 Divisadero
Approximately 2110 Geary
Southeast corner of Oak and Divisadero
1290 Hayes
Southeast corner of Hayes and Divisadero
928 Divisadero
Approximately 1280 Divisadero
751 Scott
779 Scott
Wood Poles
Southwest corner of Buchanan and Page

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:
Utility Boxes
Northeast corner of Waller and Scott
Southeast corner of Golden Gate and Scott
Northeast corner of Oak and Scott
Northeast corner of Page and Divisadero
Southwest corner of Grove and Divisadero
Southeast corner of Fulton and Divisadero
Northwest corner of Oak and Divisadero
Northwest corner of Pine and Divisadero
Approximately 1085 Page
Southwest corner of Turk and Scott
Approximately 1130 Oak
Northwest corner of Bush and Scott
Southeast corner of California and Broderick
Bus Shelters
Northeast corner of Pierce and McAllister
Northwest corner of Divisadero and Haight
Emergency Boxes
Northeast corner of Divisadero and Waller
Parking Meters
Approximately 318 Divisadero
607 Divisadero
621 Divisadero
629 Divisadero
Approximately 2110 Geary
Parking and Traffic Signs
Approximately 1610 Pierce

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Northwest corner of Page and Divisadero
Northwest corner of Pierce and Haight
Northeast corner of Geary and Broderick
444 Divisadero
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Divisadero and Fulton
783 Haight
Northwest corner of Steiner and Waller
Southeast corner of Hayes and Divisadero
Northwest corner of Page and Divisadero
Southeast corner of Haight and Divisadero
Northwest corner of Hayes and Divisadero
Southeast corner of Hayes and Divisadero
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northeast corner of Geary and Broderick
Northwest corner of Post and Divisadero
Northwest corner of Fulton and Divisadero
Northwest corner of Pierce and Haight
Southwest corner of Geary and Divisadero
Southeast corner of Hayes and Divisadero
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Northwest corner of Hayes and Divisadero
Northwest corner of Pierce and Haight
Northeast corner of Scott and Haight
1195 Oak
Northeast corner of Broderick and Geary
Northeast corner of Geary and Divisadero
Northwest corner of Bush and Divisadero
Northwest corner of Fulton and Divisadero
Southwest corner of Geary and Divisadero
444 Divisadero
Southwest corner of Hayes and Divisadero
Northeast corner of McAllister and Divisadero
Advertiser
Southwest corner of California and Divisadero
Northwest corner of Fulton and Divisadero
Southwest corner of Geary and Divisadero
Southwest corner of Bush and Divisadero
Real Estate Times
Northeast corner of Geary and Divisadero
Jobs and Careers

Southeast corner of Hayes and Divisadero
Southwest corner of Geary and Divisadero
Approximately 1650 Divisadero
1750 Divisadero
Southwest corner of O'Farrell and Divisadero
HP Western Edition Journal
Southwest corner of Geary and Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:
Garbage Cans
Southeast corner of Divisadero and Fulton
Northeast corner of Pine and Divisadero
Southwest corner of Haight and Fillmore
Mailboxes
Northeast corner of Haight and Divisadero
Southwest corner of Bush and Divisadero
Northwest corner of Geary and Divisadero
2320 Sutter
Southwest corner of Buchanan and Hermann
Northeast corner of Scott and Haight
Fire Hydrants
Northeast corner of Broderick and Page

In Memoriams

Richard Bechelli – Supervisor Farrell
Michael Goldstein – Entire Board
Solange "Sonia" Pierre – Supervisor Campos
Samuel Litke – Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:42 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 24, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

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PUBLIC LIBRARY

Tuesday, December 13, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Commissioners Fewer, Maufas, Norton, Cohen, Avalos, Chu	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Avalos, Mar	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Chiu, Campos	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Elsbernd	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 106 Number 44

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of November 1, 2011, and November 8, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

111314 [Formal Policy Discussions - December 13, 2011]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 2, 4, 6, 8, and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. The current payroll tax system is detrimental to job growth and is broken. As we have seen over the course of this year at the Board of Supervisors, several attempts have been made to carve out certain classes of people, industries, and sections of the City from the payroll tax. Instead of an ad hoc system of fixes, are you contemplating a more systematic reform of the business tax? (Supervisor Farrell, District 2)

2. As your office works on putting together the budget for the upcoming fiscal year, what can we expect in terms of budget allocations for improving the employment climate in San Francisco? Specifically, what are three concrete policy ideas you have for stimulating job growth? (Supervisor Chu, District 4)

3. The most recent data shows that families with children in San Francisco become homeless at an alarming rate. The wait list for emergency family shelters currently includes 267 families, a historic level, and a 356% increase since the summer of 2007. The data on children in the San Francisco Unified School District that choose to self identify as homeless has also reached alarming levels, 2,200 children up from 1,600 in 2009. What are your office's plan to address this crisis? Would you commit to expanding the City's Rental Subsidy Program for homeless families by 50 slots? Would you commit to keep the emergency winter shelter at Bethel African Methodist Episcopal open and allow families to stay at the Oshun drop in center until this crisis is addressed? (Supervisor Kim, District 6)

4. The Municipal Transportation Agency (MTA) Board of Directors recently approved an $8,000,000 payment to MUNI drivers from the health care trust fund. The voters specifically abolished this trust fund when they passed Proposition G in November 2010. Although the MTA Board of Directors approved this payment to settle a lawsuit by the Transit Workers Union, the payment is contrary to the spirit and goals of Proposition G and reduces money available for transit service for riders. What do you think about this payment, and what do you think about the implementation of Proposition G generally? (Supervisor Wiener, District 8)

5. The N Judah Express Line has been in service for a number of months and has been very successful in addressing issues of overcrowding and poor on time performance. Municipal Transportation Agency is now proposing to make this express line permanent. The T Third Line continues to have problems with poor on time performance, switch backs, and long wait times on the Embarcadero. Would you be supportive of piloting a T Express Line? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

111096 [Contract Amendment - Western Area Power Administration - Electric Services - Not to Exceed $15,950,888]

Ordinance approving the second amendment to the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of the San Francisco Administrative Code Section 21.19 which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of the San Francisco Administrative Code Section 21.35 which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission) (Fiscal Impact)

Ordinance No. 256-11

FINALLY PASSED

111101 [Administrative, Business and Tax Regulations, Fire, Health, and Police Codes - Business License Fees]

Sponsors: Chiu; Chu, Kim and Cohen

Ordinance amending various sections of the San Francisco Business and Tax Regulations Code, Administrative Code, Fire Code, Health Code, and Police Code to: 1) establish March 31 as the date for the annual renewal of certain business licenses; 2) apply a schedule of penalties for failure to timely renew certain business licenses; and 3) require Departments to post current business license fees on their websites. (Treasurer-Tax Collector)

Ordinance No. 238-11

FINALLY PASSED

111154 [Agreement - Tracking Environmental Attributes]

Ordinance approving a contract between the City and County of San Francisco and the Western Renewable Energy Generation Information System for: 1) documenting and tracking environmental attributes at an estimated initial cost of $4,500 per year, depending on account activity; 2) waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, waiving the requirement of Section 21.9(b) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision, waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, waiving the requirement of Section 12F.5 of the San Francisco Administrative Code that every contract contain a statement urging companies abide by the MacBride Principles, and waiving the requirement of Section 12O.2 of the San Francisco Administrative Code that every contractor provide EIC forms to eligible employees; and 3) authorizing the San Francisco Public Utilities Commission to enter other similar contracts for tracking environmental attributes. (Public Utilities Commission)

Ordinance No. 240-11

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

111074 [Liquor License - 691 Market Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Brian Sheehy for Edition San Francisco, located at 691 Market Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 532-11

ADOPTED

111133 [Liquor License - 1541 Grant Avenue]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Jay Esopenko for Little Vine, located at 1541 Grant Avenue (District 3), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)

Resolution No. 533-11

ADOPTED

Recommendation of the Land Use and Economic Development Committee

111151 [Public Improvements Acceptance - Bayshore Boulevard at Waterloo Street]

Ordinance: 1) accepting an irrevocable offer for improvements and real property related to the widening of Bayshore Boulevard at Waterloo Street and accepting a grant deed for these purposes; 2) declaring such area to be open public right-of-way and dedicating it for right-of-way and roadway purposes; 3) accepting maintenance and liability for this area subject to certain limitations; 4) establishing sidewalk width change for this area; 5) making findings, including environmental findings and general plan and priority policy findings; and 6) authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 239-11

FINALLY PASSED

Recommendation of the Public Safety Committee

111216 [Accept and Expend Grant - Intellectual Property Crime Enforcement Program - $198,676]

Sponsor: Mirkarimi

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $198,676 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Intellectual Property Crime Enforcement Program" for the grant period of October 1, 2011, through September 30, 2012.

Resolution No. 531-11

ADOPTED

Recommendations of the Rules Committee

111135 [Settlement of Lawsuit - Diane Bauer - $35,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Diane Bauer against the City and County of San Francisco for $35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 241-11

FINALLY PASSED

111136 [Settlement of Lawsuit - David Cheung - $80,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually, and dba Kwok Shing Hong, against the City and County of San Francisco for $80,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 242-11

FINALLY PASSED

111137 [Settlement of Lawsuit - Elaine Choy - $28,850]

Ordinance authorizing settlement of the portion of the lawsuit filed by Elaine Choy against the City and County of San Francisco for $28,850; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 243-11

FINALLY PASSED

111138 [Settlement of Lawsuit - Shonna Cook - $27,785]
Ordinance authorizing settlement of the portion of the lawsuit filed by Shonna Cook against the City and County of San Francisco for $27,785; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 244-11

FINALLY PASSED

111139 [Settlement of Lawsuit - James Cordova/Maria Morales - $26,965]
Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for $26,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 245-11

FINALLY PASSED

111140 [Settlement of Lawsuit - Brenda Dickson - $28,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Brenda Dickson against the City and County of San Francisco for $28,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 246-11

FINALLY PASSED

111141 [Settlement of Lawsuit - Susan Garduno - $25,730]
Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for $25,730; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 247-11

FINALLY PASSED

111142 [Settlement of Lawsuit - KLW, LLC - $110,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC, against the City and County of San Francisco for $110,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 248-11

FINALLY PASSED

111143 [Settlement of Lawsuit - Lawrence LaBianca - $34,965]
Ordinance authorizing settlement of the portion of the lawsuit filed by Lawrence LaBianca against the City and County of San Francisco for $34,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 249-11

FINALLY PASSED

111144 [Settlement of Lawsuit - Jane Martin and David Baker - $50,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for $50,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 250-11

FINALLY PASSED

111145 [Settlement of Lawsuit - Pat Moore and Tom Moore - $30,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore and Tom Moore against the City and County of San Francisco for $30,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 251-11

FINALLY PASSED

111146 [Settlement of Lawsuit - James Ramsey and Patricia Carazo Ramsey - $33,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by James Ramsey and Patricia Carazo Ramsey against the City and County of San Francisco for $33,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 252-11

FINALLY PASSED

111147 [Settlement of Lawsuit - Sally Seid - $27,815]
Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for $27,815; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 253-11

FINALLY PASSED

111148 [Settlement of Lawsuit - Angela Sinicropi and Martin Takigawa - $26,820]
Ordinance authorizing settlement of the portion of the lawsuit filed by Angela Sinicropi and Martin Takigawa against the City and County of San Francisco for $26,820; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 254-11

FINALLY PASSED

111149 [Settlement of Lawsuit - Sunday Bazaar/2170 Folson, LLC - $60,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folson, LLC, against the City and County of San Francisco for $60,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 255-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

110966 [Park Code - Long Term Management Agreement with the National Park Service for Sharp Park]

Sponsor: Avalos

Ordinance amending the San Francisco Park Code Section 3.20 to: 1) require the Recreation and Park Department to offer long term management agreement to the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area's legislative boundary (Sharp Park); and 2) making environmental and other findings.

FINALLY PASSED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

111246 [Administrative Code - Health Service System Contracting Authority; Employee Benefit Cafeteria Plan]

Sponsor: Chu

Ordinance amending the San Francisco Administrative Code Sections 16.900 through 16.905 and 21.02 to update provisions regarding: 1) the San Francisco Health Service System's contracting authority; and 2) the City's Employee Benefit Cafeteria Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111282 [Accept and Expend Grant - Reentry SF Program and Amendment to the Annual Salary Ordinance - $747,818]

Sponsor: Mayor

Ordinance authorizing the Adult Probation Department to retroactively accept and expend a grant in the amount of $747,818 from the United States Department of Justice to implement Reentry SF Program, a comprehensive reentry pathway for people on post-release community supervision in San Francisco, and amending Ordinance No. 0146-11 (Annual Salary Ordinance, FY2011-2012) to reflect addition of one (1) Class 1823 Senior Administrative Analyst grant-funded position (0.50 FTE) in the Adult Probation Department.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111182 [Prevailing Wages for Various Workers Under Contract at City Owned Facilities]

Resolution fixing prevailing wage rates for: 1) workers performing work under City contracts for public work and improvement; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and 6) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

ADOPTED by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Elsbernd, seconded by Supervisor Cohen, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution No. 530-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111273 [Accept and Expend Grant - FY2009 Buffer Zone Protection Program - $199,820]

Sponsor: Elsbernd

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2009 Buffer Zone Protection Program grant in the amount of $199,820 from the U.S. Department of Homeland Security, through the California Emergency Management Agency, to fund critical infrastructure protection needs.

Resolution No. 529-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111276 [Multifamily Housing Revenue Bonds, Series 2011C - Natoma Family Apartments - Not to Exceed $18,000,000]

Sponsor: Kim

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $18,000,000 for the purpose of providing financing for the acquisition and construction of a 60-unit multifamily rental housing project known as Natoma Family Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

Resolution No. 522-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Committee Without Recommendation

111201 [Agreement Amendment - Recology - Refuse Collection - Not to Exceed $27,621,479]

Resolution approving the Second Amendment to the Refuse Collection Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger, increasing the total not to exceed amount of the agreement from $23,537,527 to $29,337,527 under Charter Section 9.118(b). (Office of Contract Administration) (Fiscal Impact)

Privilege of floor was granted to Harvey Rose, Budget and Legislative Analyst, who provided an overview of his report on the matter.

Supervisor Chu, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution approving the Second Amendment to the Refuse Collection Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger, increasing the total not to exceed amount of the agreement from $23,537,527 to $27,621,479 under Charter Section 9.118(b). (Office of Contract Administration)

Resolution No. 523-11

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Campos

Recommendations of the City Operations and Neighborhood Services Committee

110994 [Transportation Code - Clipper Card Regulations]

Ordinance amending the San Francisco Transportation Code, Article 7, Division I, by adding Section 7.2.104 to regulate the use of Clipper Cards on transit vehicles or in proof of payment zones. (Municipal Transportation Agency)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110789 [Liquor License Transfer - 3950-24th Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 6333 Geary Boulevard to 3950-24th Street (District 8) to Roberta L. Lang for Whole Foods Market, California, Inc., dba Whole Foods Market, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)
(Supervisor Mar dissented in Committee.)

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to January 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111109 [Urging the United States Government to Reduce the Military Budget]

Sponsors: Avalos; Mar

Resolution urging the United States Government to reduce the military budget, end the wars in Iraq and Afghanistan, and redirect the savings for domestic needs.
(Supervisor Elsbernd dissented in Committee.)

Resolution No. 534-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

Recommendations of the Land Use and Economic Development Committee

110845 [Zoning Map - Rezoning - 312 Connecticut Street]

Sponsor: Cohen

Ordinance amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Assessor's Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111105 [Interdepartmental Jurisdictional Transfer of Property - 341 Corbett Avenue]

Sponsor: Wiener

Ordinance transferring jurisdiction of certain unimproved real property located at 341 Corbett Avenue (Assessor's Block No. 2659, Lot No. 059) between 19th Street and Danvers Street from the Mayor's Office of Housing to the Department of Public Works.

Privilege of the floor was granted to Joan McNamara and Teresa Yanga (Mayor's Office of Housing) and John Updike, Acting Director, Real Estate, who provided an overview of the transfer and responded to questions raised throughout the discussion.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi
Noes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

111209 [Mission Bay South - Storm Water Pump Station No. 4 Public Infrastructure Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 4 including acquisition facilities located on and under portions of State Trust Parcel Nos. 2 and 6; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Public Safety Committee

111269 [Supporting Policy Restricting Use of Local Funds to Respond to Civil Immigration Detainers]

Sponsors: Mar; Chiu, Campos, Kim and Avalos

Resolution supporting adoption by the San Francisco Sheriff's Department and the San Francisco Juvenile Probation Department of a policy restricting use of local funds to respond to civil immigration detainers.

Supervisors Campos, Kim, and Avalos requested to be added as co-sponsors.

Resolution No. 535-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110738 [Public Hearing - Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]

Sponsor: Mirkarimi

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to Fillmore Community Benefit District. Lisa Pagan (Mayor's Office of Economic and Workforce Development) provided an overview of the assessment district. Male Speaker; Walter Paulson; spoke in support of the assessment district. Ray Hartz; Ace Washington; Harris Elderly; Daniel Landry; spoke in opposition to the assessment district. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

110739 [Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]

Sponsor: Mirkarimi

Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Fillmore Community Benefit District was 33.83%, and the returned weighted ballots voting against the Fillmore Community Benefit District was 66.17%, further indicating there was a majority protest.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

111125 [Public Hearing - Conditional Use Appeal - 3901 Mission Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's September 15, 2011, Conditional Use Authorization identified as Planning Case No. 2011.0664C, by its Motion No. 18442, under Planning Code Sections 711.83 and 303, to install a wireless telecommunications facility consisting of eight panel antennas and related equipment on an existing one-story commercial building as part of the AT&T wireless telecommunications network within a NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, on property located at 3901 Mission Street, Assessor's Block No. 5802, Lot No. 044. (District 9) (Appellant: Tom Cantrell, on behalf of the College Hill Neighborhood Association) (Filed October 17, 2011; Companion Measure to File Nos. 111126, 111127, 111128.)

The President inquired as to whether any member of the public wished to address the Board. Olga Milan-Howells, Susan Panoplos, and Teresa Mesa-Casey (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Graciela; Sara Richmond; Male Speaker; Julium Mitchell; Penny Mitchell; Ian Wang; Kevin; Coleen Fernold; Susie; Anita Haley; Ray Hartz; Walter Paulson; spoke in support of the appeal. AnMarie Rodgers (Planning Department) and Patrick Fosdahl (Department of Public Health) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Mark Blakeman and Bill Hammett (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Olga Milan-Howells and Susan Panoplos (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

111126 [Approving Planning Commission Decision Related to Conditional Use Authorization - 3901 Mission Street]

Motion approving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi, Wiener
Noes: 4 - Chu, Cohen, Elsbernd, Farrell

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111127 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 3901 Mission Street, Approving Conditional Use With Additional Conditions]

Motion disapproving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

Supervisor Campos, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion FAILED by the following vote:
Ayes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion FAILED by the following vote:
Ayes: 7 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi, Wiener
Noes: 4 - Chu, Cohen, Elsbernd, Farrell

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Motion disapproving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18448, and further subject to additional conditions imposed by the Board of Supervisors on December 13, 2011. (Clerk of the Board)

Motion No. M11-175

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111128 [Preparation of Findings Related to the Conditional Use Authorization - 3901 Mission Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 7 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi, Wiener
Noes: 4 - Chu, Cohen, Elsbernd, Farrell

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Motion No. M11-176

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

Recommendation of the City Operations and Neighborhood Services Committee

111270 [Committee of the Whole - Hearing on the Status of Negotiations Between the Mayor's Office and California Pacific Medical Center - December 13, 2011]

Sponsor: Mar

Motion scheduling the Board to sit as a Committee of the Whole on December 13, 2011, at 3:00 p.m., to hold a public hearing on the status of negotiations between the Mayor's Office and California Pacific Medical Center (CPMC) regarding CPMC's Long Range Development Plan.

Motion No. M11-177

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Board of Supervisors Sitting as a Committee of the Whole

Recommendation of the City Operations and Neighborhood Services Committee

Supervisor Elsbernd was noted absent at 9:07 p.m., and noted present at 9:24 p.m.
Supervisor Wiener was noted absent at 9:07 p.m., and noted present at 9:32 p.m.
Supervisor Farrell was noted absent at 9:08 p.m., and noted present at 9:24 p.m.
Supervisor Kim was noted absent at 9:40 p.m., and noted present at 10:12 p.m.
Supervisor Chiu was noted absent at 9:59 p.m., and noted present at 10:18 p.m.
Supervisor Elsbernd was noted absent at 10:19 p.m., and noted present at 10:44 p.m.
Supervisor Cohen was noted absent at 10:24 p.m., and noted present at 10:32 p.m.
Supervisor Farrell was noted absent at 10:25 p.m., and noted present at 10:56 p.m.

111271 [Hearing - California Pacific Medical Center Negotiations Status Regarding Long Range Development Plan]

Sponsor: Mar

Hearing to hear all persons interested in commenting on the status of negotiations between the Mayor's Office and California Pacific Medical Center (CPMC) regarding CPMC's long range development plan.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to California Pacific Medical Center. Ken Rich (Mayor's Office of Economic and Workforce Development), Elizabeth Watty (Planning Department), Colleen Chawla (Department of Public Health), Barbara Garcia, Director, Department of Public Health, Rhonda Simmons (Mayor's Office of Economic and Workforce Development), Malcolm Yeung (Mayor's Office of Housing), Sonali Bose (MTA), Kathy Riordan (Department of Public Health), and Charles Sullivan (City Attorney's Office) provided an overview of the project and responded to questions raised throughout the discussion. Matt Valdez; Isidra Ester Macaraeg; Emily Lee; Bob Prentice; Calvin Welch; Marlayne Morgan; Joanne Jung; Julian Gross; Michael; Male Speaker; Patricio Fernandez; Walter Paulson; Florence Kong; Danny Prince; Reverend Arnold Townsend; Jason Fraser; Roma Guy; Bernard Shoredon; George Wuo; Jenny Chung; Father Don Fox; Marion Lucci; Rose Tuvera; Gloria Salazar; Female Speaker; Merlina Meneses; Karina Vargas; Lorenzo Listana; Matt; Angelie Crown; Barbara Savitz; Javier Padilla; Holly Cooper; Dr. Eugene Gzenslen; Stella Becerra; Fernando Marti; Robert Lopez; Maxine Hickman; Jane Sandoval; Eileen Prendiville; Michael Leyon; Martha Calderon; Ana Lazo; Linda Chapman; Male Speaker; Mike Adams; Dick McNeil; Paul Kumar; Male Speaker; Amy Mariwether; Giselle Quesada; Vinney Arrora; Theresa Garnero; Amor Santiago; Joe Fang; Emily O'Rourke; John Huang; Kevin McCormick; Steve Woo; Kent Lim; Al Noland; Brian Webster; Otto Duffy; Eric Brooks; Manny Flores; Warren Brown; Pilar Schiavo; Brad Paul; Abdallah Megahed; expressed various concerns relating to the negotiations of the proposed project. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Wiener was noted absent at 4:02 p.m., and noted present at 4:21 p.m.

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mirkarimi introduced, welcomed, and presented a Certificate of Honor to Jeff Adachi, Public Defender, in recognition of the 90th Anniversary of the San Francisco Office of the Public Defender.

Supervisor Mirkarimi introduced, welcomed, and presented a Certificate of Honor to Sherrif Michael Hennessey in recognition of his accomplishments during his 32 years of service to the City and County of San Francisco upon his retirement. Supervisors Farrell, Campos, Kim, Avalos, Chu, Farrell, and Chiu, shared in this recognition.

Supervisor Elsbernd introduced, welcomed, and presented a Certificate of Honor to Amy Brown, Acting City Administrator, in recognition of her accomplishments during her 12 years of service to the City and County of San Francisco upon her departure. Supervisors Chu, Campos, and Chiu shared in this recognition.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Supervisor and Sheriff-Elect Ross Mirkarimi in recognition of his accomplishments dring his 7 years of service as District 5 Supervisor to the City and County of San Francisco and congratulating him on his election to the Office of Sheriff. Supervisors Avalos, Campos, Kim, Mar, Elsbernd, Farrell, Chu, Cohen, and Wiener shared in this recognition.

COMMITTEE REPORTS

Recommendations of the Rules Committee

Supervisor Cohen Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Cohen be excused from voting on File No. 111304. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Cohen

111304 [Appointment, Peninsula Corridor Joint Powers Board - Supervisor Cohen]

Motion appointing Supervisor Malia Cohen, term ending June 30, 2012, to the Peninsula Corridor Joint Powers Board. (Clerk of the Board)

Motion No. M11-178

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Cohen

111286 [Settlement of Lawsuit - Patricia Sancinito - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Patricia Sancinito against the City and County of San Francisco and Laguna Honda Hospital for $75,000; the lawsuit was filed on May 19, 2011, in San Francisco Superior Court, Case No. CGC-11-511076; entitled Patricia Sancinito v. City and County of San Francisco, Laguna Honda Hospital. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111287 [Settlement of Lawsuit - Mitchell Engineering/Obayashi Corporation, JV - $14,950,000]

Ordinance authorizing settlement of the lawsuit entitled Mitchell Engineering/Obayashi Corporation, JV (MEOC) v. City and County of San Francisco, et al., and related cross-actions, Santa Clara County Superior Court Case No. 1-08-CV-116915 by payment of $14,950,000 from the City to MEOC. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111174 [Settlement of Unlitigated Claim - Janet O'Hara - $100,000]

Resolution approving the settlement of the unlitigated claim filed by Janet O'Hara against the City and County of San Francisco for $100,000; claim was filed on March 11, 2011. (City Attorney)

Resolution No. 528-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111244 [Settlement of Unlitigated Performance Bond Claim - Travelers Casualty and Surety Company of America - City to Receive $250,000]

Resolution authorizing settlement of an unlitigated performance bond claim by the San Francisco Airport Commission against Travelers Casualty and Surety Company of America relating to a lease default by Mexicana Airlines. (City Attorney)

Resolution No. 527-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111263 [Appointments, Eastern Neighborhoods Citizens Advisory Committee - Fernando Marti, Chris Block, Wendy Phillips, and Oscar Grande]

Motion appointing Fernando Marti, Chris Block, Wendy Phillips, and Oscar Grande, terms ending October 19, 2013, to the Eastern Neighborhoods Citizens Advisory Committee. (Clerk of the Board)
Fernando Marti, seat 5, succeeding himself, term expired, must be nominated by District 6 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.
Chris Block, seat 7, succeeding himself, term expired, must be nominated by District 8 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.
Wendy Phillips, seat 8, succeeding Eric Quezada, term expired, must be nominated by District 9 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.
Oscar Grande, seat 9, succeeding himself, term expired, must be nominated by District 9 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.

Motion No. M11-179

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111264 [Appointment, Bicycle Advisory Committee - Jared Cohen]

Motion appointing Jared Cohen, term ending November 19, 2012, or for the tenure of District 5 Supervisor, whichever is shorter in duration, to the Bicycle Advisory Committee. (Clerk of the Board)
Jared Cohen, seat 5, succeeding Susan King, term expired, must be a nominee of District 5 Supervisor. The member shall serve a two-year term ending November 19, 2012, or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Motion No. M11-180

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Steve Chessin; expressed various concerns relating to ranked choice voting.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111319 [Commending Supervisor and Sheriff-Elect Ross Mirkarimi]

Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Resolution commending and honoring Supervisor Ross Mirkarimi for his distinguished service as a member of the Board of Supervisors of the City and County of San Francisco and congratulating him on his election to the Office of Sheriff.

Resolution No. 509-11

ADOPTED

111320 [Supporting Assembly Concurrent Resolution 42 - "Eat Local, Buy California Grown Day"]

Sponsors: Chu; Mar and Campos
Resolution supporting Assembly Concurrent Resolution 42, encouraging families, restaurants, and grocers to buy California-grown floriculture, fiber, and foods, and declaring Sundays as "Eat Local, Buy California Grown Day" in the City and County of San Francisco.

Supervisors Mar and Campos requested to be added as co-sponsors.

Resolution No. 536-11

ADOPTED

111321 [Accept and Expend Grant - Justice Reinvestment Initiative - $100,000]

Sponsor: Cohen
Resolution authorizing the Adult Probation Department as lead staff to the Reentry Council of San Francisco to accept and expend a technical assistance grant with a cash value of $100,000 from the United States Department of Justice, awarded to the Reentry Council, for activities related to the Justice Reinvestment Initiative.

Resolution No. 526-11

ADOPTED

111322 [Honoring Warren Hellman - Renaming Speedway Meadow as Hellman Meadow]

Sponsors: Elsbernd; Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi and Wiener
Resolution honoring Warren Hellman and supporting the decision to rename Golden Gate Park's Speedway Meadow as Hellman Meadow.

Resolution No. 524-11

ADOPTED

111323 [Amy L. Brown Day - January 6, 2012]

Sponsors: Elsbernd; Chiu, Chu, Mar and Campos

Resolution honoring Amy L. Brown and proclaiming January 6, 2012, to be "Amy L. Brown Day" in the City and County of San Francisco.

Supervisors Mar and Campos requested to be added as co-sponsors.

Resolution No. 525-11

ADOPTED

111324 [Recognizing the 90th Anniversary of the San Francisco Office of the Public Defender]

Sponsors: Mirkarimi; Mar and Campos

Resolution recognizing that the San Francisco Office of the Public Defender, founded in 1921, is celebrating its 90th anniversary this year.

Supervisors Mar and Campos requested to be added as co-sponsors.

Resolution No. 537-11

ADOPTED

111327 [Commending Sheriff Michael Hennessey]

Sponsors: Mirkarimi; Farrell, Avalos, Chiu, Elsbernd, Wiener, Chu, Cohen, Campos, Kim and Mar

Resolution commending and honoring Sheriff Michael Hennessey for his distinguished tenure as the longest serving Sheriff of the City and County of San Francisco and congratulating him on his retirement.

Resolution No. 510-11

ADOPTED

111300 [Final Map 6265: 275 - 299 Valencia Street]

Motion approving Final Map 6265, a 36 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 275 - 299 Valencia Street, being a subdivision of Assessor's Block No. 3532, Lot 014; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-181

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Charter Amendments

111329 [Charter Amendment - Consolidation of City Elections and Ranked-Choice Voting]
Sponsors: Campos; Avalos
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, 13.102, 13.103.5, and Article XVII to: 1) consolidate odd-year elections for City elective offices to a single year and 2) increase voter education and clarify implementation of ranked-choice voting.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2012.

111330 [Charter Amendment - Consolidating Odd-Year Municipal Elections]
Sponsor: Wiener
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, and Article XVII to: 1) change the election cycle for the offices of City Attorney and Treasurer so that these offices will be elected in the same years as the elections for the offices of Mayor, District Attorney, and Sheriff; and 2) to amend the definition of general municipal election so that such elections occur only in even-numbered years and every other odd-numbered year.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2012.

111331 [Charter Amendment - Analyzing Proposed Legislation in Relation to Net Job Loss]
Sponsor: Mayor
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 2.118 to: 1) require the President of the Board of Supervisors to determine whether proposed legislation imposes obligations or limitations on private businesses; 2) require the Controller to determine whether such legislation will result in a net job loss; 3) authorize the Small Business Commission to draft and propose alternative legislation for the Board of Supervisors' consideration; and 4) prohibit the Board of Supervisors from taking final action on such ordinances until the Small Business Commission submits alternative legislation or 60 days after the Controller's Office issues its report.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2012.

Ordinances

111248 [Regulations for Jane Warner and Harvey Milk Plazas]
Sponsor: Wiener
Ordinance: 1) approving regulations for Jane Warner Plaza at the intersection of Castro and 17th Streets and Harvey Milk Plaza adjacent to the intersection of Castro and Market Streets; and 2) authorizing official acts in connection with the regulations.

11/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/12/11; REFERRED TO DEPARTMENT.

12/13/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

111332 [Appropriating $4,442,514 of Fund Balance and Interest Earnings from the Sale of the Watermark Land and Condominiums to the Port Commission in FY2011-2012]
Sponsor: Mayor
Ordinance appropriating $4,442,514 consisting of $3,709,630 in fund balance and $732,884 in interest earnings from the sale of the Watermark Land and Condominiums to the Port Commission in FY2011-2012 to be used for the development of the Brannan Street Wharf and the Mixed-Use Cruise Terminal at Pier 27 and placing $614,000 on Controller's Reserve pending receipt of the projected interest earnings.
(Fiscal Impact)

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111333 [Appropriating $192,000,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Department of Public Works in FY2011-2012]
Sponsors: Mayor; Chiu
Ordinance appropriating $192,000,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond proceeds to the Department of Public Works in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the bonds.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111334 [Appropriating $75,009,139 of 2008 Clean and Safe Park Bond to the Recreation and Park Department and Port Commission in FY2011-2012]
Sponsor: Mayor
Ordinance appropriating $76,000,000 of 2008 Clean and Safe Park Bond sale proceeds to fund the improvement and construction at various recreation and park facilities, including $62,176,132 in the Recreation and Park Department and $10,394,975 in the Port Commission for FY2011-2012.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111335 [Appropriating $76,500,000 of Road Repaving and Street Safety General Obligation Bonds to the Department of Public Works and the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Wiener

Ordinance appropriating $74,000,000 of the 2012C Series Road Repaving and Street Safety General Obligation Bond proceeds to the Department of Public Works for street resurfacing, sidewalk, curb ramp, street structure improvements, and the redesign of streetscapes to include pedestrian and bicycle safety improvements for FY2011-2012 and placing these funds on Controller's Reserve pending the sale of the bonds.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111336 [Agreement - Bay Area Regional Interoperable Communications Systems]

Sponsor: Mayor

Ordinance approving site access and use agreement with Motorola for the San Francisco sites to be used for the Bay Area 700 MHz public safety broadband spectrum to be managed and operated by the Bay Area Regional Interoperable Communications Systems for a term of 12 years and making findings, including environmental findings.

12/13/11; RECEIVED AND ASSIGNED to Public Safety Committee.

111337 [Planning Code - Extension of Time for Legitimization of Existing Eastern Neighborhoods Uses]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code Section 179.1(b) to: 1) extend by 90 days the period of time in which existing uses in the Eastern Neighborhoods area that have operated without permits may file an application for determination of eligibility for legitimization; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/12/2012.

111338 [Naming the Waller Street Stairway as Adah's Stairway]

Sponsors: Wiener; Olague

Ordinance: 1) establishing the name of the Waller Street stairway at Waller and Broderick Streets and connecting to Buena Vista Park as "Adah's Stairway," in recognition of Adah Bakalinsky, author of the book Stairway Walks in San Francisco; 2) commemorating this location under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance; 3) accepting a plaque and its installation in honor of Ms. Bakalinsky as a gift to the City; 4) waiving permit and inspection fees for plaque installation; and 5) directing official acts in furtherance of this Ordinance.

12/13/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111339 [Administrative Code - Reporting on Community Jobs Program]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Section 20.32 to require the Human Services Agency and Department of Human Resources to periodically report to the Board of Supervisors and the Mayor on the Community Jobs Program's success in preparing program participants for employment and placing them in jobs.

12/13/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/12/2012.

111354 [Administrative Code - San Francisco Municipal Transportation Agency Revenue Bond]

Sponsors: Chu; Wiener and Chiu

Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XIII, Sections 43.13.1 through 43.13.8, to authorize the issuance of revenue bonds by the San Francisco Municipal Transportation Agency.
(Fiscal Impact)

12/13/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/12/2012.

Resolutions

111340 [Contract - Shell Energy for CleanPowerSF Program]

Sponsor: Campos

Resolution approving a contract with Shell Energy North America for a term of four years and six months for services required to launch the CleanPowerSF program and authorizing the General Manager of the Public Utilities Commission to take additional steps to launch the CleanPowerSF program, subject to conditions.
(Economic Impact, Fiscal Impact)

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111341 [San Francisco Municipal Transportation Agency Revenue Bond Issuance - Not to Exceed $170,000,000]

Sponsors: Chu; Wiener and Chiu

Resolution authorizing the issuance of not to exceed $170,000,000 aggregate principal amount of San Francisco Municipal Transportation Agency Revenue Bonds for the purpose of financing certain capital improvements related to the Agency, including the refinancing of certain outstanding revenue bonds issued by various non-profit public benefit corporations and/or the Parking Authority of the City and County of San Francisco to finance certain improvements to garages owned by the Agency, the Authority or the City, and/or parking meters; approving the forms of documents relating thereto; approving the maximum interest thereon; finding that the authorization and issuance of revenue bonds by the Agency is not a project under California Environmental Quality Act (CEQA) Guidelines and San Francisco Administration Code Chapter 31; and related matters.
(Fiscal Impact)

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111342 [Accept and Expend Grant - Intertie Project - $1,098,202]

Sponsor: Mayor

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a California Department of Public Health administered grant in the amount of $1,098,202 for the San Francisco Public Utilities Commission share of a San Francisco Public Utilities Commission/East Bay Municipal Utility District Intertie Project.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111343 [General Obligation Bonds - Road Repaving and Street Safety - Not to Exceed $248,000,000]

Sponsors: Mayor; Chu

Resolution providing for the issuance of not to exceed $248,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011); authorizing the execution, authentication, and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; declaring the City's intent to reimburse certain expenditures; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.
(Fiscal Impact)

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111344 [Earthquake Safety and Emergency Response General Obligation Bonds Sale - Not to Exceed $192,000,000]

Sponsors: Mayor; Chiu and Chu

Resolution authorizing and directing the sale of not to exceed $192,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010) Series 2012A; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; declaring the City's intent to reimburse certain expenditures; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111345 [Clean and Safe Neighborhood Parks General Obligation Bonds Sale - Not to Exceed $75,009,139]

Sponsor: Mayor

Resolution authorizing and directing the sale of not to exceed $76,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2008) Series 2012B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; declaring the City's intent to reimburse certain expenditures; waiving the deadline for submission of bond accountability reports; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.
(Fiscal Impact)

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111346 [Road Repaving and Street Safety General Obligation Bonds Sale - Not to Exceed $76,500,000]

Sponsors: Mayor; Wiener

Resolution authorizing and directing the sale of not to exceed $74,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011) Series 2012C; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; declaring the City's intent to reimburse certain expenditures; adopting certain CEQA findings; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111347 [Accept and Expend Gift - World Cup Live 2010 at Civic Center Plaza - $96,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend an in-kind gift, valued at $96,000 from America Scores Bay Area to support operating costs associated with presenting World Cup Live 2010 in Civic Center Plaza.

12/13/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111348 [Multifamily Housing Revenue Bonds - Ridgeview Terrace - Not to Exceed $20,000,000]

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $20,000,000 for Ridgeview Terrace; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

12/13/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111349 [San Francisco Road Runners Club Day - January 21, 2012]

Sponsor: Elsbernd

Resolution recognizing the 10th Anniversary of the founding of the San Francisco Road Runners Club and proclaiming January 21, 2012, to be "San Francisco Road Runners Club Day" in the City and County of San Francisco.

12/13/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111350 [San Francisco Unified School District General Obligation Bonds - Not to Exceed $531,000,000]

Sponsor: Kim

Resolution authorizing the San Francisco Unified School District to issue and sell, on its own behalf, its General Obligation Bonds approved by at least 55% of the voters at the November 8, 2011, election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; and granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the General Obligation Bonds by the San Francisco Unified School District; and providing prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of bonds.
(Fiscal Impact)

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111351 [Accept and Expend Gift - Glen Canyon Park - $483,250]

Sponsor: Wiener

Resolution authorizing the Recreation and Parks Department to retroactively accept and expend a gift-in-place valued up to $483,250 from the Trust for Public Land for the Glen Canyon Park Improvement Plan and the related outreach process.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

111352 [Directing the Clerk of the Board of Supervisors to Work with KPOO Radio Regarding Broadcasting Board Meetings]

Sponsors: Mirkarimi; Mar

Motion directing the Clerk of the Board to work with KPOO Radio on a plan to enable the radio station to broadcast weekly San Francisco Board of Supervisors meetings and to implement the plan for such broadcasts.

12/13/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

111353 [Hearing - Foreclosure Crisis]

Sponsors: Avalos; Kim and Cohen

Hearing on strategies, policies, administrative actions, and other potential steps that the City and County of San Francisco can take to address the foreclosure crisis that is affecting our residents and disproportionately impacting certain neighborhoods.

12/13/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

111298 [Settlement of Lawsuit - Mary Jenn - $72,500]

Ordinance authorizing settlement of the lawsuit filed by Mary Jenn against the City and County of San Francisco for $72,500; the lawsuit was filed on November 12, 2010, in San Francisco County Superior Court, Case No. CGC-10-505363; entitled Mary Jenn v. City and County of San Francisco, et al. (City Attorney)

11/30/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Rules Committee.

111299 [Settlement of Lawsuit - DeWolf Realty Company, Inc. - $91,000]

Ordinance authorizing settlement of the lawsuit filed by DeWolf Realty Company, Inc., Gordon Pederson, and Chubb Custom Insurance Company against the City and County of San Francisco for $91,000; the lawsuit was filed on July 19, 2010, in San Francisco Superior Court, Case No. CGC-10-501664; entitled DeWolf Realty Company, Inc., et al., v. City and County of San Francisco, et al. (City Attorney)

11/30/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Rules Committee.

111305 [Planning Code Amendments - Glen Park Area Plan]

Sponsor: Wiener

Ordinance amending the San Francisco Planning Code by: 1) adding and amending various sections to implement the Glen Park Area Plan, bounded generally by Chenery Street to the north, Roanoke Street to the east, San Jose Avenue and Bosworth Street to the south, and Elk Street to the west; 2) creating a new Section 738.1, establishing zoning controls for the Glen Park Neighborhood Commercial Transit district; and 3) making findings, including environmental findings and findings of consistency with General Plan and with the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/28/11; RECEIVED FROM DEPARTMENT.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/12/2012.

111306 [Zoning Map Amendments - Glen Park Area Plan]

Sponsor: Wiener

Ordinance amending the City and County of San Francisco Zoning Map Sheets ZN11 and HT11 to: 1) create a new zoning district, and amend height and bulk districts within the Glen Park Area Plan, as proposed in the Glen Park Community Plan; and 2) making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/28/11; RECEIVED FROM DEPARTMENT.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/12/2012.

111307 [General Plan Amendments - Glen Park Area Plan]

Ordinance amending the San Francisco General Plan by adding the Glen Park Area Plan; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/28/11; RECEIVED FROM DEPARTMENT.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/12/2012.

PROPOSED RESOLUTIONS

111301 [Settlement of Case - George and Vickie Bourdouris and Capital Insurance Group - $67,205.32]

Resolution approving the proposed settlement of the case of George and Vickie Bourdouris and Capital Insurance Group vs. the City and County of San Francisco for $67,205.32, Unlitigated Claim No. 11-00689. (City Attorney)

11/30/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Rules Committee.

111303 [Settlement of Unlitigated Claim - M/T Dubai Star/South Harmony Shipping - City to Receive $65,000]

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against M/T Dubai Star/South Harmony Shipping, Inc. for $65,000; claim was presented by the City on July 28, 2010. (City Attorney)

11/30/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Rules Committee.

111308 [Real Property Lease - San Antonio Reservoir to Chevron Pipe Line Company]

Resolution: 1) authorizing the General Manager of the San Francisco Public Utilities Commission to execute a 20 year lease for an approximately 11.73 acre pipeline right-of- way near the San Antonio Reservoir in Alameda County to Chevron Pipe Line Company at an initial rent of $12,500 per year; 2) adopting environmental findings; and 3) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

12/02/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111309 [Contract Amendment - Xtech - $51,000,000]

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and County of San Francisco and Xtech (part of the technology store procurement vehicle), in which the amendment shall increase the contract limit from $41,000,000 to $51,000,000. (Office of Contract Administration)
(Fiscal Impact)

12/05/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111310 [Contract Amendment - Xtech - $60,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and County of San Francisco and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $40,000,000 to $60,000,000. (Office of Contract Administration)

12/05/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111311 [Contract Amendment - En Pointe Technology Sales, Inc. - $38,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc. part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $28,475,000 to $38,000,000. (Office of Contract Administration)

12/05/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
1825B Post
Northwest corner of Hayes and Gough
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southeast corner of Masonic and Fulton
783 Haight
Northwest corner of Steiner and Waller
Southeast corner of Buchanan and Post
Northwest corner of Page and Octavia
Northwest corner of Fell and Gough
Southeast corner of Masonic and Hayes
Southeast corner of Buena Vista West and Haight
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southeast corner of Post and Webster
Southwest corner of Divisadero and Haight
1825B Post
Northwest corner of Hayes and Gough
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
1825B Post
Northwest corner of Page and Octavia
Southwest corner of Fell and Laguna
Northeast corner of Buchanan and Post
Approximately 429 Grove
Southeast corner of Post and Webster
Northwest corner of Hayes and Gough
Southeast corner of Masonic and Hayes
Advertisers
Southeast corner of Masonic and Hayes
Southeast corner of Masonic and Fulton
Jobs and Careers
Southeast corner of Masonic and Fulton
1825B Post
USA Today
Southeast corner of Buchanan and Post
Real Estate Times
Southeast corner of Masonic and Fulton
HP Western Addition Journal

Southeast corner of Webster and Post

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:
Metal Poles
Northwest corner of Haight and Laguna
185 Haight
173 Haight
Approximately 135 Haight
Northwest corner of Haight and Laguna
Northwest corner of Haight and Buchanan
41 Haight
Northeast corner of Haight and Laguna
Northwest corner of Haight and Gough
75 Gough
95 Gough
1700 Market
Northwest corner of Fell and Gough
Southwest corner of Grove and Gough
Northwest corner of Hayes and Gough
Southwest corner of Hayes and Gough
101 Gough
Northwest corner of Oak and Gough
552 Octavia
Southwest corner of Oak and Octavia
Approximately 15 Octavia
201 Laguna
252 Laguna
Approximately 255 Laguna
Approximately 320 Laguna
Northeast corner of Lily and Laguna
Southwest corner of Lily and Laguna
Southwest corner of Ivy and Laguna
Southeast corner of Birch and Laguna
821 Laguna
877 Laguna
Approximately 917 Laguna
1015 Laguna
Southwest corner of Golden Gate and Laguna
Northwest corner of Golden Gate and Laguna
Southwest corner of Willow and Laguna
Approximately 1285 Laguna
Approximately 1305 Ellis
Southwest corner of Geary and Webster
Northwest corner of Eddy and Webster
249 Webster
607 Haight
909 Haight
937 Haight
Approximately 275 Broderick
Southeast corner of Fulton and Central
Wood Poles
Southwest corner of Laguna and Haight
Northwest corner of Rose and Gough
227 Laguna

Southeast corner of Grove and Laguna
Concrete Poles
Northwest corner of Fell and Gough
893 Laguna
Southeast corner of Hayes and Laguna
Southeast corner of Geary and Webster
Approximately 1051 Webster
Approximately 951 Webster
911 Webster

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:
Residential and Commercial Buildings
108 Haight
100 Haight
208 Scott
48 Haight
Northwest corner of Gough and Haight
428 Grove (on East side)
41 Octavia
709 Webster
725 Webster
909 Haight
208 Haight
Billboards
1700 Market (sidewalk billboard)
Southwest corner of Haight and Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:
Garbage Cans
Northwest corner of Haight and Laguna
Northwest corner of Haight and Octavia
Northwest corner of Fell and Gough
Northwest corner of Fulton and Gough
Mailboxes
Southeast corner of Masonic and Hayes
Northeast corner of Haight and Buchanan
Northwest corner of Octavia and Haight
Northwest corner of Oak and Gough
Southwest corner of Hayes and Laguna
Southeast corner of Ellis and Laguna
Southwest corner of Post and Laguna
Southwest corner of Haight and Gough
Fire Hydrants
Northwest corner of Octavia and Haight
Northwest corner of Laguna and Fulton
Public Benches
Southeast corner of Masonic and Fulton

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:
Utility Boxes
Southwest corner of Page and Gough
Southwest corner of Lily and Octavia
546 Octavia
Southeast corner of Ivy and Octavia
Northwest corner of Market and Octavia
Northeast corner of Webster and Geary (on top of box)
Northwest corner of Fulton and Webster
1639 Fulton
Bus Shelters
Southwest corner of Buena Vista East and Haight
Northwest corner of Laguna and Haight
Southwest corner of Grove and Gough
Southwest corner of McAllister and Laguna
Northeast corner of Webster and Geary (on top of shelter)
Southwest corner of Geary and Webster
Southwest corner of Buchanan and Haight
Southwest corner of Pierce and Haight
Southwest and Northeast corners of Fillmore and Hayes
All four shelters on Haight and Fillmore
Emergency Boxes
Northeast corner of Laguna and Haight
1687 Market
Northwest corner of Gough and Haight
Southwest corner of Oak and Gough
Southeast corner of Steiner and Haight
Southwest corner of Oak and Broderick

In Memoriams

Franklin Fung Chow - Supervisor Mar
John Patrick Landers - Supervisor Farrell
Cheryl Evans - Supervisor Cohen

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 12:06 a.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 24, 2012.

Angela Calvillo, Clerk of the Board

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Bindery Ltd
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